Annual Report

OF

The Indian Merchants Chamber & Bureau

FOR THE YEAR

1912.

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for the Secretary.

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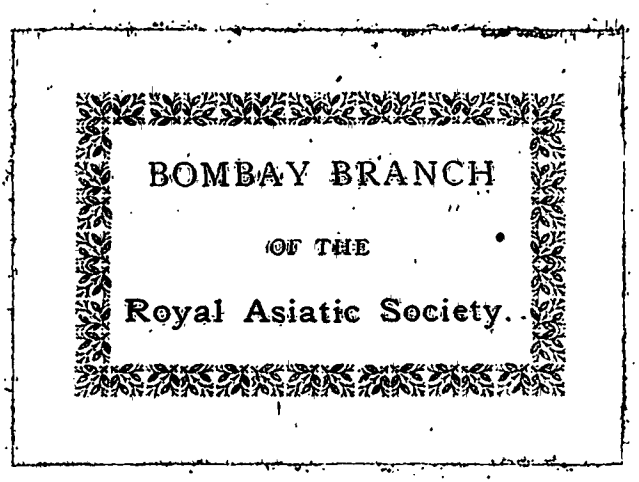

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LIST OF MEMBERS OF THE INDIAN MERCHANTS' CHAMBER AND BUREAU.

	Members.	Representatives.
1	Mr. Bamanji Dinshaw Petit.	(self)
2	Messrs Morarji Goculdas and Company	(Mr. D. E. Wachha).
3	„ Chhagandas and Company	(Mr. Jivandas Pitamber).
4	„ Pragji Surji and Company.	(Mr. Pragji Surji).
5	Mr. Mulji Haridas.	(self).
6	Messrs. Dinshaw D. Karani and Company	(Mr. Dinshaw Dosabhai Karani).
7	„ M. M. Batlivala and Company	(Mr. M. M. Batlivala).
8	Hon'ble Mr. Munmohandas Ramji	(self)
9	Messrs. Jethabhai Walji and Company	(Mr. Jethabhai Walji).
10	„ Matubhai Vussanji and Company	(Mr. Vussanji Naranji).
11	„ Waljee Sunderji and Company	(Mr. Walji Sunderji).
12	„ Madhavji Thakersey and Company	(Mr. Madhavji Thakersey)
13	„ Pragji Vundravan and Company	(Mr. Luxmidas Purshotum)
14	„ Jamnadas Sunderji and Company	(Mr. Jamnadas Sunderji).
15	Messrs. Murarji Velji and Company	(Mr Murarji Velji).
16	„ Damoder Haridas and Company	(Mr. Haridas Murarji).
17	„ Valji Shamji and Company	(Mr. Kalianji Damoder).
18	„ Bhukhundas Govindji and Company	(Mr. Lalji Govindji).
19	„ Morarji Govindji and Company	(Mr. Govindji Jivandas).
20	„ Chunilal Sakalchand and Company	(Mr. Jhaverchand Kalianji).
21	„ Talukchand Jetha and Company	(Mr. Hemchand Amarchandj.
22	„ Hemraj Kanji and Company	(Mr. Hemraj Kanji).
23	„ Ghela Dayal and Company	(Mr. Goculdas Jivraj).
24	„ Gordhandds Naranji and Company	(Mr. Naranji Nursey).
25	„ Chaturbhuj Jivandas and Company	(Mr. Chaturbhu Jivandas).
26	„ Gopalji Walji and Company	(Mr. Gopalji Walji).
27	„ Vullabhdas Jamnadas and Company	(Mr. Vullabhdas Jamnadas).

28 Messrs. Jairam Hari and Company (Mr. Devidas Damoder).
29 „ Mulji Kersandas and Company (Mr. Mulji Kersandas).
30 „ Chaturbhuj Shivji and Company (Mr. Chaturbhuj Shivji).
31 „ Damoder Govindji and Company (Mr. Vithaldas Damoder Govindji).
32 „ Mathuradas Goculdas and Company (Mr. Mathuradas Nensi Chaturbhuj).
33 „ Mulji Dmoder and Company (Mr. Vussanji Mulji)
34 „ Devkerendas Narandas and Company (Mr. Devkeren Mulji).
35 „ Vullabhdas Kanji and Company (Mr. Vullabhdas Kanji).
36 Messrs. Sunderdas Padamsey and Company (Mr. Sunderdas Padamsey).
37 „ Lalji Tricumji and Company (Mr. Ruttansey Meghji).
38 „ Girdhardas Jethabhai and Company (Mr. Girdhardas Jethabhai).
39 „ Padamsey Munji and Company (Mr. Vullabhdas Meghji).
40 „ Chotatal Mulchand and Company (Mr. Kallianji Mavji).
41 „ Jugjiven Hemraj and Company (Mr. Goculdas Jadavji Jugjivan).
42 „ Tricumdas Purshotum and Company (Mr. Purshotum Kooverji).
43 „ Kanji Kursan and Company (Mr. Harjivan Walji).
44 „ Bhalchundra Balvant and Company (Mr. Balvant Ramchundra).
45 „ Hemraj Waljee and Company (Mr. Jivandas Hemraj Walji).
46 „ Visram Dhanji and Company (Mr. Vundravandas Walji).
47 „ Raghaoji Annandji and Company (Mr. Karandas Mulji).
48 „ Bhimji Rawji sons and Company (Mr. Chhabildas Luxmidas Bhimji).
49 „ Runchhordas Thakersey and Company (Mr. Devidas Madhaovji Thakersey).
50 „ Lalji Naranji and Company (Mr. Dwarkadas Naranji).
51 „ Purshotum Luxmidas and Company (Mr. Dwarkadas Vussanji).
52 „ Kurji Dharamsey and Company (Mr. Mathuradas Kurji).
53 Messrs. Ranchhoddas Valabhai and Company (Mr. Ranchoddas Valabhai).

54 Messrs. Kersandas Purshotum and Company (Mr. Kersandas Premji)
55 „ Murarji Kalianji and Company (Mr. Goculdas Damoder).
56 „ Bhimji Kara and Company (Mr. Bhimji Kara).
57 „ Ramdas Madhavji and Company (Mr. Madhavji Jaisung).
58 „ Motilal Keshavji and Company (Mr. Motilal Vullabhji).
59 „ Manji Walji and Company (Mr. Mathuradas Manji Walji).
60 „ Hemraj Jesung and Company (Mr. Narayandas Haribhai).
61 „ Ravjibhai Naranji and Company (Mr. Ravjibhai Naranji).
62 „ Hargovind Chattu and Company (Mr. Carsandas Hargovind).
63 „ Gopalji Walji Sunderji and Company (Mr. Gopalji Walji Sunderji).
64 „ Jivram Vussanji and Company (Mr. Jeshtharam Jivram).
65 „ Purshotum Govindji and Company (Mr. Haridas Purshotum).
66 „ Versey Curramsey and Company (Mr. Valji Sunderji).
67 „ Kalidas Dharamsey and Company (Mr. Purshotum Kanji).
68 „ Hormasji Bejanji and Company (Mr. Gordhandas Purshotum).
69 „ Ramji Luxmidas and Company (Mr. Dwarkadas Narandas).
70 Messrs. Gordhandas Morarji & Company (Mr. Gordhandas Morarji)
71 „ Purshotum Dwarkadas & Co, (Mr. Damoder Bhagwandas).
72 „ Vullabhdas Luxmidas & Co., (Mr. Chhagan Gopalji).
73 „ Hiralal Amratlal & Co., (Mr. Manilal Lallubhai).
74 „ Thakersey Mulji & Co. (Hon. Sir Vithaldas D. Thakersey).
75 „ Jutha Kanji & Co., (Mr. Motilal Kanji).
76 „ Pranjivan Naranji & Co., (Mr. Pranjivan Naranji).
77 „ Hariram Velji & Company (Mr. Dwarkadas Vallabhji).
78 „ Purshotum Kalidas & Co., (Mr. Purshotum Kalidas).
79 „ Hirji Dayal and Company (Mr. Lalji Dayal).
80 „ Walji Khimji & Company (Mr. Vulabhdas Valji).
81 „ Bamanji Shapurji & Co., (Mr. Dinshahji Bamanji Chothia).
82 „ Raghunathji Tarachand & Co. (Mr. Narotam Gordhandas).
83 „ Madanji Monji & Co. (Mr. Madanji Monji).
84 „ Damoder Valji & Co., (Mr. Hirji Rustamji).

85 Messrs. Goculdas Shivji & Co., (Mr. Sunderji Damoder),
86 „ Cursondas Kalianji & Co., (Mr. Chaturbhuj Cursandas Shroff).
87 „ Raghavji Ebji & Co., (Mr. Ragahvji Ebji).
88 „ Hormasji Khursetji & Co. (Mr. Homi Khursetji Settna).
89 „ Cawasji Temulji & Company (Mr. Temulji Burjorji).
90 „ Bhimji Dwarkadas & Company (Mr. Dhanji Bhimji).
91 „ Amritlal Jagjivan & Company (Mr. Jagjivan Sheskaran),
92 „ Mulji Jetha & Company (Mr. Chaturbhuj Gordhandas).
93 „ Jamshedji Framji Kharas & Co, (Mr. Ardeshar J. Kharas).
94 „ Ramji Thakarsey & Company (Mr. Pitambar Bhagwanji).
95 „ Shamji Vundravan & Co., (Mr. Bhagwandas Harikrishna).
96 „ Gopalji Kallianji & Co., (Mr. Permanand Damoder).
97 „ Bhagwandas Bhawanbhai & Co., (Mr. Vrujlal Bhagwandas Bhawanbhai).
98 „ Mulji Padamsey & Company (Mr. Hirji Topan).
99 „ Liladhardas Dwarkadas & Co., (Mr. Sunderji Walji).
100 „ Keshavram Pragji & Company (Mr. Keshavram Pragji).
101 „ Ratansey Kanji & Company (Mr. Padamsey Ratansey).
102 „ Nagardas Purshotum & Co., (Mr. Mehta Bhagwandas Keshavji).
103 „ Edulji Carsetji & Co., (Mr. Jamshedji Edulji Banatvala).
104 „ Chaturbhuj Haridas & Co. (Mr. Haridas Purshotum).
105 „ Keshauji Haridas & Co., (Mr. Haridas Mauji).
106 „ Annandji Walji & Co., (Mr. Premdas Khimji).
107 „ Damoder & Nussurwanji & Co., (Mr. Dorabji Nusurvanji).
108 „ Waman Shridhar & Co., (Mr. Waman Shridhar Apte).
109 „ Revashankar Jagjivan (self)
110 „ Motilal Dahyabhai & Co., (Mr. Motilal Dahyabhai).
111 „ Devji Kanji & Company (Mr. Sheriff Devji Kanji).
112 Mr. Jainarayan Dani (Mr. Vallabhnarayan Dani).
113 Sir Shapurji B. Bharucha (self).
114 Messrs. Narandas Rajaram & Co., (Mr. Purshotumdas Thakordas).
115 „ Haji Muhamad Haji Ismail & Co., (Mr. Umar Haji Usaf Sobhani).

116	Mr.	Ruttonsey Mulji (self).
117	„	Bhaidas Narotumdas (self).
118	Messrs.	Ramdas Khimji & Co., (Mr. Goculdas Jamnadas).
119	„	Phirozshah B. Petit & Co., (Mr. Pherozshah B. Petit).
120	„	Dhanjibhai B. Petit & Co., (Mr. Dhanjibhai B. Petit)
121	Mr.	S. R. Bamanji (self).
122	Raja	Bahadur Shivlal Motilal.
123	Messrs.	Sunderji Arjun & Company (Mr. Sunderji Arjun).
124	„	Khimji Vishram & Company (Mr. Khimji Dayalji).
125	Hon.	Sir Ibrahim Rahimtulla (self).
126	Thakar	Vullabhdas Kalianji (Mr. Narsi Vallabhdas).
127	Mr.	Kaikhushru Manekji (self).
128	Messrs.	Drewet Chawna & Co., (Mr. Palanji Dadabhai Chavna).
129	„	O. H. Nazar & Company (Mr. O. H. Nazar).
130	„	Gordhandas Khatau (self).
131	„	N. D. Dadyseth (self).
132	„	Kavasji Dinshah Brothers (Mr. Shavaksha Kavasji Dinshah)
133	Mr.	Harmukhrai Govindram (self.)
134	Messrs.	Shaikh Ahmed Shaikh Dawood & Company (Mr. Hirala] Bhogilal).
135	„	The All India United Insurance Company, Ltd. (Mr. Rahim Jasub).
136	Rao	Bahadur Vussanji Khimji (Mr. Mathuradas Vussanji).
137	Mr.	Tarachand Ghunshyamdas (Mr. Govindram Harsomal).
138	„	A. C. Rice (self).
139	„	Trimbak Zinabhai (Mr. Madhavdas Trimbakbhai).
140	Messrs.	Jhaveri & Company (Mr. B. N. Jhaveri).
141	„	Alembic Chemical Works (Mr. Bhailal Dajibhai Amin).
142	Mr.	Kursandas Mulji Jaitha (self).
143	Messrs.	The Grain Merchants Association (Mr. Naranji Haribhai).
144	„	K. P. Kothare & Company (Mr. Krishnarao Purshotum Kothare).
145	„	The Indian Mercantile Insurance Company (Mr. Dadabhai Edulji Pavri).
146	Hon.	Mr. Lallubhai Samaldas (self).
147	Messrs.	Jivanchand Lallubhai and Co. (Mr. Gulabchand Dhuramchand).

148 Messrs. Hajibhai Lalji & Co., (Mr. Mahomed Hajibhai).
149 „ Kothare Sutaria & Co.. (Mr. R. L. Sutaria).
150 Hon Mr. Fazulbhai Karimbhai Ibrahim (self).
151 Dr. H. L. Batliwala (self).
152 Messrs. Morarji Girdhar & Co., (Mr Surjibhai Morarji).
153 „ The Bombay Merchant's Bank, Ltd. (Mr, Jainarayan Indumal Dani).
154 Mr. Gordhandas Khetsey (Mr. Muthradas Govindji).
155 Mr. Narotum Morarji Goculdas (self).
156 Messrs. S. B. Billimoria & Company (Mr. S. B. Billimoria).
157 „ Tata and Sons (Mr. Pheroz J. Billimoria).
158 Mr. Manekji Jetthabhai Vardhman (self).
159 Messrs. Hormasji E. Davar & Sons (Mr. Phirozshah H. Davar).
160 „ The Berar Manufacturing Co. (Mr. Phirozshah D. Bhedwar).
161 „ R. H. Pathuk & Company (Mr. Herajibhai Shapurji Pathuk).
162 „ Warden & Cempany (Mr. Sorabji E. Warden).
163 „ Keshavlal Lullubhai and Company (Mr. Keshavlal Lullubhai).
164 „ Premchand Roychand and Sons (Mr. Kikabhai Premchand).
165 Mr. Purshotum Vishram Mavji, (self).
166 „ Shreram Shamen, (self.)
167 Messrs. The Hindusthani Native Merchants' Association. (Sheth Jagannath, Munim of Sheth Tarachand Juharmal).
168 Mr. Lallubhai Zuverdas Muni (self).
169 „ Vaghji Bechar (self).
170 Messrs. Manekchand Panachand & Co., (Mr. Tarachand Navalchand Zaveri).
171 Mr. Arjun Khimji (self).
172 Messrs. N. Powell & Company (Mr. M. Venkatraw).
173 Hon. Mr. Abdul Husan Adamji Peerbhoy (self).
174 Mr. Markundrai Girjaprusad Desai (self).
175 Messrs. Harkishanlal & Company (Sheth Dipchand).
176 Mr. Charandas Chaturbhuj Morarji (self).
177 Messrs. Kedarmal Bhuramal (Mr. Kedarmal Bhuramal).

178 Mr. Nyalchund Lalluchund (self).
179 „ Gulabchand Devchand Jhaweri (self).
180 „ Ramprasad Hariprasad Desai (self).
181 Messrs. The Credit Bank of India, Limited (Mr. Jafer Jusab).
182 „ Murlidhar Mohanlal (Mr. Hemchand Ramjibhai Mehta).
183 Mr. Gordhandas Runchoardas (self),
184 „ Bhogilal Virchund Dipchand (self).
185 „ Dunichund Durgadas (self).
186 „ Vullabhdas Dayal (self).
187 „ Ratunchand Tollakchand (self).
188 Messrs. K. S. Ayar & Company (Mr. K. S. Ayar).
189 „ H. Pestanji & Company (Mr. Dosabhoi Pestonji Bhakka).
190 Mr. Mathuradas Goculdas Thacker (self).
191 „ Herachand Venechand Desai (Mr. Laxmichand Manekchand Khokhani).
192 Messrs. Shiv Hem Ammar & Company (Mr. Keshavji Makanji Doshi).
193 „ Tricumdas Mulji and Company (Mr. Tricumdas Premji).
194 „ The Davar's College of Commerce (Professor S. R. Davar).
195 „ N. L. Thakar & Co. (N. L. Thaka.)
196 Mr. Nassarwanji K. A. Chinoy (self).
197 Messrs. Vasanji Veljee & Co. (Mr. Shivji Champsi).
198 „ P. N. Mehta & Co. (Mr. P. N. Mehta).
199 „ Kilachand Devechand & Co. (Mr. Chhotalal Kelachand).
200 „ The National Financing & Commission Corporation, Ltd. (Mr. C. I. Parekh).
201 „ The Central Bank of India, Ltd. (Mr. Sorabji N. Pochkhanawala).
202 „ The Pioneers' Bank, Ltd. (Mr. B. G. Gajiwala).
203 „ Abdulla Allarakhia & Co., (Mr. Karmali Abdulla Allarakhia).

LIST OF MEMBERS OF THE COMMITTEE OF THE INDIAN MERCHANTS' CHAMBER AND BUREAU.

1 Hon. Mr. Manmohandas Ramji (Chairman).
2 Mr. Purshotomdas Thakoredas (Vice-Chairman).
3 „ Dinshah Edulji Wachha.
4 Hon. Sir Vithaldas Damodar Thakersey.
5 Mr. Navottam Morarji Goculdas.
6 Hon. Sir Ibrahim Rahimtulla.
7 „ Mr. Lallubhai Shamuldas.
8 Sir Shapurji B. Bharucha.
9 Mr. Madhavji Thakersey.
10 „ Girdhardas Jethabhai.
11 „ Morarji Velji.
12 „ Rattansey Mulji.
13 „ Naranji Haribhai.
14 Hon. Mr. Fazulbhai Karimbhai Ibrahim.
15 Mr. P. J. Billimoria.
16 „ Chatturbuj Shivji.
17 „ Jelhabhai Walji.
18 „ Sorabji Edulji Warden.
19 „ Motilal Vallabhji
20 „ Jamnadas Sunderji
21 „ Mathuradas Vasanji Khimji.
22 „ Mulji Haridas.
23 „ Revashanker Jagjiwan.
24 „ Jainarayan Indumal Dani.
25 „ Devidas Madhavji Thakersey.

Secretary : Mr. Jaysukhlal Krishnalal Mehta, M. A.

Assist. Secretary. Mr. M. V. Vacharajni, B. A. LL. B.

Hon. Auditor : Mr. A. C. Rice, Chartered Accountant.

Chamber's Solicitors : Messrs. Edgelow Gulabchand and Wadia & Co., Solicitors.

THE INDIAN MERCHANTS' CHAMBER AND BUREAU.

Annual General Meeting.

The Fifth Annual General Meeting of the Members of the Indian Merchants' Chamber and Bureau was held at the office of the Chamber on the 5th October 1912, at 3 p. m. (B. T.) to transact the following business.

(1) To receive the report of the Managing Committee for the year 1911-12.

(2) To declare the election of the Members of the new Committee made in accordance with Rule No. 26.

(3) To appoint an Auditor to the Chamber, for the ensuing year.

The Hon'ble Mr. Manmohandass Ramji', Chairman of the Chamber, presided.

The following Members were present.

Hon'ble Mr. Manmohondass Ramji, Mr. Dinshah Edulji Wacha, Mr. Purshottamdass Thakoredas Hon'ble Sir Vithaldas Damoder Thakersey, Mr. Jethabhai Walji, Mr Vasanji Naraiji, Mr Laxmidas Purshottam.

Mr. Jamnadas Sunderji
„ Haridas Morarji
„ Govindji Jeevandas
„ Hemchand Amarchand
„ Gocul las Jivraj
„ Devidas Damodar
„ Chaturbhaj Shivji
Mr Morarji Valji
„ Kalianji Damodar
„ Goverchand Kabjanji
„ Hemraj Kanji
„ Vallabhdas Jamnadas
„ Mulji Karsondas
„ Vithaldas Damodar Govindji
„ Mathurdas Nenshi Chaturbhuj, Mr Vasanji Mulji
„ Devkaran Mulji, Mr Ratanji Meghji
„ Kalyanji Mavji, Mr Goculdas Jadavji Jagjiwan
„ Harjiwan Walji, Mr Vandravandas Walji, Mr. Chhabildas
„ Laxmidas Bhimji, Mr Devidas Madhavji Thakersey
„ Mathurdas Kurji, Mr. Ranchhoddas Walabhai

Mr. Karsondas Premji, Mr Motilal Vullabhji
„ Mathuradas Manji Walji, Mr Narayandas Haribhai
„ Ravjibhai Naranji, Mr. Karsondas Hargovind
„ Gopalji Walji Sunderji, Mr Jivram Vasanji
„ Haridas Purshottam, Mr. Walji, Sunderji
„ Purshottam Kanji, Mr. Gordhandas Purshottam
„ Dwarkadas Narandar, Mr. Gordhandas Morarji
„ Damodar Bhagwandas, Mr. Chhagan Gopalji
„ Manilal Lallubhai, Mr Dwarkadas Vallabhji
„ Vallabhdas Walji, Mr. Hirji Kustanji, Mr. Sunderji

Mr. Damodar, Mr. Chaturbhuj, Karsondas Shroff, Mr Homi Cursetji Setna, Mr. Jagjiwan Sheshkaran, Mr. Petambar Bhagwandas Harikrishna, Mr. Parmanand Damodar, Mr. Hirji Topan, Mr Sunderji Walji, Mr. Kishavram Pragji, Mr. Jamshedji Edulji Banatwala, Mr. Haridas Madhavji, Mr. Primdas Khimji, Mr Dorabji Nassarwanji, Mr. Wam Shridhar Apte, Mr. Revashankar, Jagjiwan, Mr. Vallabhnarayen Dani, Ratonsha Mulji, Mr. Sunderji Arjun, Mr. Palanji Dadabhai Chaona, Mr. O. N. Nazar, Mr. Kiralal Bhogilal, Mr. Mathurandas Vasanji, Mr. Madhandas Trimbakbhai, Mr. Dadabhai Edulji Pavri, Mr. Narottam Morarji Goculdas, Mr. Kishavlal Lallubhai, Mr. Jagannath, Messrs. Tarachand Joharmals Munim, Mr. Gordhandas Ranchhoddas, Mr. Bhogilal Virchand Dipchand, Mr. Ratanchand, Talakchand, Mr Dosabhai Pestonji Bhakka, Mr. Laxmichand Manekchand Khokhani, Mr. Kishavji Makanji Doshi, Mr. N. L. Thakkar and Mr. Nassatwanji K. A. Chinoy. The Hon'ble Mr. Manmohandass Ramji in proposing the adoption of the Report said, Gentlemen—

You will have seen from this report that the work done was of an extremely important nature and useful to the Indian commercial community. One of the outstanding events of the official year of the Chamber was the happy and auspicious visit of Their Majesties the King Emperor George and Queen Empress Mary to this country. There were rejoicings from one end of the country to the other and the welcome accorded to their Sovereign by the people was genuine and spontaneous. The year was marked by several important commercial bills being introduced by the Government of India, in fact, it may be said that it was a commercial session. We welcome this recognition of the claims of com-

merce and industry which were otherwise in danger of being overlooked in favour of the claims of some of the noisier sections of the public.

TWO IMPORTANT BILLS.

Two of the most important bills which were passed at the last session were the Insurance Companies' Bill and the Provident Societies, Bill. The idea of insurauce is new to this country and it would be sometime before it is developed just as in the West. Just because of this however great care needs to be exercised with regard to these companies in order that they may not fall in the hands of designing persons and that innocent people may not be ruined. Life insurance is one of the best forms of investment for the poor and middle classes. The responsibility is all the greater on the promoters and conductors of insurance concerns because the advantage of such a sort of investment generally goes to the survivors of the insured. There was a danger that some people would take advantage of the imperfect condition of our insurance laws and float concerns with the express object of fleecing the public. In fact at some places companies were started and conducted on tottering foundations and there were many failures also. Happily, however, the Government realized the grave danger before it was too late and after receiving almost the unanimous support of the commercial community in its favour, passed the bills known as the Insurance Companies' Bill and the Provident Societies' Bill. There is one point with regard to the former of these bills to which I may be allowed to draw your attention. It is with regard to actuaries. The Government has wisely insisted in the rules and regulations proposed to be issued in connection with the Insurance Bill on high qualifications of actuaries. Unfortunately we have not in this country any institution for training up men for this profession. So it comes to this that unless some means are adopted to supply this want we shall have to import men from Europe. I hope that the new College of Commerce and similar institutions which may be established elsewhere will provide for this important course.

Among the commercial bills of minor significance passed at the last session were the Post Office Bill and the Stamp Bill while the consideration of the White Phosporous Matches Bill was postponed for one year in deference to public opinion,

JOINT STOCK COMPANIES' ACT.

Perhaps the most important bill, however, introduced at the last session was the Joint Stock Companies' Bill which is now engaging the attention of the commercial world because of its vast importance in the history of commerce and industry. It was long since observed that the Companies' Act of 1882 had outlived its time and that changes were required to bring it up to the needs of the times. The history of the last five years has also shown the necessity for fundamental alterations in the Act in order property to safeguard the rights and interests of the share-holding and depositing public. As long as joint stock enterprise was in its infancy some latitude was required to be given to the promoters and managers, but I think that it can no longer be said now that this enterprise is in its infancy. Though it may not have reached the full development achieved in the West it has come to occupy no mean place in the history of our national commerce and finance, and deserves the careful consideration of all interested in the development of this country. The British Companies' Consolidation Act of 1908 offered a very good model for the adoption by the Government, and it is pleasing to note that the bill introduced by the Government has incorporated some of the important provisions of the British Act. The sub-committee appointed by your Committee will consider this and forward the representation to the Government. If I may be allowed to forestall this I may say that one of the most important recommendations we have made is that relating to the power of mortgages of joint stock companies. The proposed bill provides for the registration of mortgages but we think that this is not by itself sufficient to protect the rights of depositors. We therefore suggest that it should be enacted that when the property and assets of a joint stock company are to be mortgaged. previons notice of at least two weeks of the mortgage should be given to all prior creditors of the company, or if this is not possible, that all prior creditors should be considered as having first charge on the company. It is contended against this suggestion by some that it will hamper the working of joint stock concerns by taking away from them the power of borrowing. If there are such concerns we should better do without them than allow them to prolong their existence on weak foundations and delude the public by a sense of false security. I rather think that such a provision will restore the confidence of the public in joint

stock concerns and bring a large number of deposits the want of which is being felt by many companies. I believe that if the Joint Stock Companies' Bill is passed after being amended according to some of the important and useful suggestions offered by several public bodies it will instead of hampering the growth of companies, stimulate it by making them sounder and more trustworthy.

The Government has recognized the rights of the Indian commercial community to this extent that we are now allowed to send representatives to the local Legislative Council and the Port Trust. But we nave no representatives in the Municipal Corporation and the Improvement Trust, bodies which are intimately connected with commerce and industry. It is indeed unfair that the Indian commerce which contributes so much to the development of the city should not be represented on bodies which are entrusted with the responsible work of managing the affairs of the city We hope that our representation to the Municipal Corporation will be favourably considered and steps taken to carry it into effect. Our representation with regard to the Improvement Trust could not be acted upon as the amendment proposed by the Hon. Sir Pherozeshah Mehta was ruled out of order, but we hope that the next earliest opportunity will be taken to change the constitution of the Trust in such wise that all the important elements of the city may be represented on the Board. We are all glad to note that through the effort of His Excellency Sir George Clarke the project of the Commercial College will be fully realized next year and thus the movement set on foot by your Committee for placing commercial education on a systematic and organized basis will be successful.

RAILWAY PROBLEMS.

The year was marked by an almost unprecedented railway traffic. The Railway Companies through the shortage of wagons and want of proper facilities for traffic were unable to cope with it adequately. This led a severe strain upon the merchants many of whom had to undergo heavy losses. But the chief complaint of our Indian merchants, was that the causes which thus operated in bringing upon them losses were not merely natural causes which they could have

put up with but that it was the system of undue preference followed by some Railway Companies which resulted in their not getting waggons even though they were available. This complaint especially came from Cawnpore where this year the traffic in grain and seeds wa very large. There over and above the general complaint of the shortage of wagons was the specific complaint of undue preference given by the Railway Companies to some merchants. The result was that several of the merchants had to suffer serious losses. The attention of our Chamber being drawn to this state of things they wrote to the Railway Board and failing to get a reply sent a telegram to the Hon. Mr. Clarke requesting him to remove the cause of complaint. We have now reached the point that the scheme approved of by the Chamber and the G I. P. Railway Co., is put as an exerpiment at Cawnpore and some other stations and the results will be discussed at a meeting at Cawnpore to be held in December. The matter is for the present *sub-judice* but I may be allowed to say that the policy of undue preference followed by the Railway Companies is highly reprehensible and is against the rules and regulations of the companies themselves. The plea that preference is given to large exporters and merchants is misleading inasmuch as many of our merchants would be able to have large trade if they are given the same facilities as the favoured few. I trust that the experiment at Cawnpore will turn out successful and that the Railway authorities with the same sympathy which they have shown toward our complaints will definitely leave off their old policy of undue preference and adopt the system of serial loading of goods. Railways are intimately connected with commerce and industry and for the progress of the country, it is essential that there should be a mutual co-operotion between the two. Such a co-operation should be the watchward of the Railway authorities in this country.

I mentioned above that one of the causes of the great congestion of traffic on the Railways was the shortage of wagons and also want of some facilities like good terminal arrangements, double lines, etc. All this financial aspect of the question of the Railway problem looms large before the public. It has been urged by some of the Chambers of Commerce that this financial question must be solved by devoting the surplus of the proceeds of the Railway to the construction of the new

and maintaining of the old lines, and by raising special Railway loans. We have our sympathies with this demand for the want of many important facilities is a hindrance in the way of the development of commerce and industry but at the same time we must say that the expense proposed for the extension and improvement of the lines is almost prohibitive. It must be remembered that the Government has many other calls beside that of the Railways, and all the educational and sanitary activities will have to be curtailed if the Railways only are to get the biggest share of the finances. The difficulty can be met only by adopting one course and that is that attention should be paid for the present to existing lines and that construction of new lines should be stopped for the present. We can thus have more of rolling stock, more of terminal facilities, more of double lines and more of speed also for goods trains and thus remove the hindrances in the way of trade and commerce. When the Government is asked repeatedly to launch on big expenditure for the Railways it is easily forgotten that there is also irrigation to which equal attention should be paid. The question is if loans are to be raised for Railways why not for irrigation? I fear that the increase in expenditure for Railways without taking into account the urgency of the other calls would be an inadvisable policy.

GOLD STANDARD RESERVE.

The question of the Gold Standard for India and Gold Standard Reserve being kept in this country is rightly engaging the attention of the commercial public, for it forms one of the fundamental questions of our national finance and currency policy. I think that a full and clear case has been made out for the opening of the mints in this country for gold coinage and that it is high time for the Government to accede to popular wishes in this respect, which were so emphatically shown at the Imperial Council. We want a real gold Standard and not one in name only as the present Gold Standard in this country appears to be. The large amount of cash balances held in London by the Secretary of State for India justly causes alarm to our merchants and has evoked strenuous protests from many influential quarters notably from all the non-official members of the Imperial Council. The amount of these balances is increasing every year and has now

reached the gigantic sum of £10 000,00). The money is therefore lent at ridiculously small interests ranging from per cent. to 2½ per cent. Why should not all these huge funds be kept in this country where capital is badly required and where merchants have to pay sometimes to 7 per cent. on their loans. Consider what an effect the tranfer of the cash balances from London to India will have on the trade and commerce of this country. The Bank rate will settle down to the normal conditions of this country and merchants will be able for the development for their trade and industry to get money at 3 to 4 per cent. The whole of the commercial public has time after time pressed upon the attention of the Government both these proposals and we hope that the Government will no longer delay the carrying out of these wishes expressed so clearly and emphatically. The increasing number of banks in this city is causing apprehension to some minds. I do not share this apprehension for I belive that there is yet a large field for the working of the banks. It is a truism to say that banks are taking the place of the shroffs and shahukars of old. If, then they are to take their place adequately they must be in every town and village just as the shroffs and shahukars are just as the banks are in the West. I think that the existing number of the banks is insufficient to meet the country's requirements.

To my mind the danger is not in the increasing number of the banks but in the injudicious working of the banks, by interested persons. The responsibility of the Banking institutions is great and it should be undertaken only by those who are capable and honest enough for the work. I am surprised that the attention of the commercial public is not still drawn to the real want of our people, which is that of smaller banking institutions to cater to the needs of middle class artisans, trades and agriculturists. The existing banks are principally confined to accommodate and lend to manufacturers, merchants and traders in a large way. We want banks like the industrial Banks of Japan and the Credit Lyonnais of France which advances sums as small as 2s. and 5s. to traders and agriculturists. The banks have done much by drawing out the hoarded capital of the country and are expected to do still more good but they must be conducted on fair and judicious lines. The monsoon this year appears to have

been a favourable one and if the present conditions continue there is every likelihood of good crops and a good trade.

TRIBUTE TO GOVERNOR.

Before I conclude I should like to express on behalf of the Indian commercial community their sorrow at the coming departure of His Excellency Sir George Clarke. The five years of the regime of His Excellency have been a record of progress in all the directions but especially in the direction of developing the commerce and industry. His Excellency rightly saw that one of the great hitches in the development of our people lay in the want of a systematic study of science. The people of this Presidency will ever remember with gratitude his supplying this want by getting many radical reforms introduced in the University curriculum and by establishing two Institutes of Science, one at Bombay and the other at Ahmedabad. Another reform which the commercial community price as highly is the institution of the Degree of Commerce by the University which was directly brought about through the sympathy of His Excellency. Not only this but His Excellency has made possible the establishment of the College of Commerce, which in the near future will place the study of commerce on a high pedestal and bring the Bombay University into line with the advanced Universities of the West which have recognized the value of systematic studies of science and commerce, in the making and progress of a nation. His Excellency has also placed the commercial community under a debt of gratitude by passing recently the Racing Bill which will stop to a great extent to the vices of gambling which ruined so many men and brought about many a commercial failure. The spirit of fairness and justice which has characterised the administration of His Excellency was well manifested in the cordial recognition of the rights and privileges of the Indian commercial community by providing a seat in the Bombay Legislative Council and in the Bombay Port Trust.

His Excellency will carry with him the good wishes of the commercial community which hopes that His Excellency will always retain his sympathetic kindness for its welfare and progress.

THE VICE-CHAIRMAN.

Mr. Purshotamdas Thakordas, in seconding the adoption of the report said:—When we met last year we were all anxiously waiting to

welcome to our shores their Imperial Majesties the King Emperor and Queen Empress. Their Imperial Majesties have been pleased with their stay, short though it was in India, and we have the gratification that the same has been a pleasant one for them The gifts of His Majesty at the Durbar and the momentous changes proclaimed from the Imperial throne have been received by India with grateful thanks and without the slightest question, as befits the high respect in which India holds her Sovereign Emperor. I am sure you all feel honoured by the privilege your committee had of joining in the address of welcome to Their Majesties on behalf of mercantile Bombay. The Committee attended to several important questions during the year, as you will note from the report. The intended modifications in the Indian Companies' Act was referred to your Committee by Government. The suggestions of your Committee are almost ready for despatch to the Government. We are obliged to Government for paying such prompt attention to this important question and I trust Government willl not overlook the necesity of safe-guarding the interest of depositors in joint stock companies and will enact that in the event of mortgaging properties of joint stock companies the previous depositors of money shall be given the option of recalling their deposit with interest up to date. I am aware that some experienced persons are not in favour of such a safe-guard being afforded by law, but I beg to submit this should be a most important part of the new bill. A man may deposits a sum of money for a year under the impression that the property of the Company is unencumbered. Is it anything more than only fair to him to enact that before any change is caused in the lien on the property, the depositors shall be given the option to continue or recall his money ? I do not think we expect too much from law in suggesting this protaction for the depositors.

RAILWAY ADMINISTRATION.

The year under review has proved beyond doubt the inadequacy of the Railway administration to cope with the increased demand for rolling stock to carry cotton and products to the ports promptly during the season, and to carry to and fro grain, coal and fodder for local requirements. Although the demand on the rolling stock

during the last ten months was abnormal owing to the coal strike in England and partial famine in our Presidency, we are glad to note that Government are alive to the situation and prompt measures are contemplated to avoid a repetition of similar dead-locks. Your Committee attended to a painful complaint from the Cawnpore merchants to the effect that in the midst of inadequate supply of wagons at Cawnpore, and adjoining stations the Railways were giving an unwarranted preference in loading to some firms. On satisfactory proofs of such a preference having been submitted to your Committee. they addressed the Railway Board, and the Hon'ble Mr. Clarke requesting redress, and we are very gratified to find from the report that Sir T. Wynne conducted an enquiry at Cawnpore, had some of the orders of the Railway Company concerned withdrawn, has approved of another system of supply of wagons being tried and has promised to proceed further in the matter in December next after watching the results of the new system. This, I trust you will find satisfactory. I have no doubt neither the Railway Board nor the superior staff of the Railway wish to handicap the Indian merchants and I am confident our grievances in the matter, considerable they are said to be will be adequately redressed.

After Messrs. Devidas Madhavji Thakersey, Motilal Vallabhji, Laxmichand Manikchand Khokani, Chaturbhuj Karsondas Shroff. And others had spoken upon the several leading commercial questions of the day the Report was put to vote and unanimously adopted.

The result of the ballot, for the election of the chairman, vice-chairman and members of the Committee for the ensuing year was then announced and the following persons were declared as duly elected members of the Committee for the ensuing year according to Rule No. 26 —Hon'ble Mr. Manmohandass Ramji (chairman) Mr Purshotamdas Thakoredas (Vice-Chairman) Mr. Dinshah Edulji Wachha. Hon'ble Sir Vithaldas Damodar Thakersey, Mr. Narottan Morarji Goculdas, Hon'ble Sir Ibrahim Rahimtulla, Hon'ble Mr. Lallubhai Shamaldas,. Sir Shapurji B. Bharoucha, Mr. Madhavji Thakersey Mr Girdhardas Jethabhai, Mr. Morarji Velji, Mr. Ratansi Mulji, Mr. Naranji Haribhai, Hon'ble Hr. Fazulbhai Karimbhai Ibrahim, Mr. P. J. Billimoria, Mr. Chaturbhuj Shivji, Mr. Jethabhai Walji, Mr. Sorabji Edulji Warden, Mr. Motilal Vallabhji, Mr Jamnadass Sunderji,

Mathurandas Vasanji Khimji, Mr. Mulji Haridas, Mr. Revashanker Jagjiwan, Mr. Jamnarayen Indumal Dani, Mr Devidas Madhavji Thakersey. Resolutions were then passed appointing Mr. A. C Rice, Auditor of the Chamber, for the ensuing year and thanking the retiring Committee and auditor for the manifold work thay had done during the past year,

Proceedings terminated with a vote of thanks to the chairman.

Report of the Committee of the Indian Merchants' Chamber and Bureau for the year 1911-12, presented to the General Meeting, held on the 5th October 1912.

Your Committee have great pleasure in presenting their Fifth Annual Report to your Chamber. They held during the course of the year 17 Meetings, and the work done was, as will be seen from the Report, of a varied and important nature.

Address to Their Majesties.

One of the chief events of the year was the visit of Their Majesties King-Emperor George the Fifth and Queen Empress MARY to this country on this occasion of their Coronation. The Commercial Community of Bombay took this opportunity of presenting a loyal address of welcome to them. This Address was jointly presented by the Bombay Chamber of Commerce, the Bombay Mill-Owners' Association, the Indian Merchants' Chamber and Bureau and the Bombay Cotton Trades Association.

Insurance and Provident Societies Bill.

2. The question of regulating Life Assurance Companies was long since before the Government of India, which had sometime before consulted the Commercial Community, regarding the necessity of having some sort of Insurance Legislation in this country. The opinion of the latter having proved almost unanimously favourable

to the proposed Legislation, the Government introduced the Life Assurance Companies Bill and the Provident Societies Bill. Your Committee approved of both these measures, and suggested some minor changes.

Post Office Bill.

3. The Post Office Act, which was enacted in 1898, failing in certain respects to give adequate powers to the Postal Authorities to deal with articles, posted in contravention of the Act, the Government introduced a Bill further to amend the Indian Post Office Act 1898. Your Committee approved of this Bill, and suggested a slight modification in Section 23.

The Stamp Bill.

4. By the Indian Stamp (Amendment) Act of 1910, the rates of Stamp Duty on Bills of Exchange were raised very considerably in the case of Bills exceeding Rs. 1000. In the case of Bills from Rs. 600 to Rs. 1000, the increase was much smaller; while the old rates of Duty were retained on Bills, not exceeding Rs. 600 in order to exempt petty transactions from the enhancement of duty. This concession being however misused by some people, the Government introduced a Bill further to amend the Indian Stamp Act of 1899, which proposed to raised the Duty on Bills of Exchange, for amounts not exceeding Rs. 1,000 in the same ratio, as the enhancement, which was effected in the case of Bills, for amounts exceeding Rs. 1,000 by the amending Act of 1910. Your Committee saw no reason to object to the amendment suggested, as there was no other way to prevent the evil complained of, though they said that the amendment would work heavily upon small traders and merchants.

White Phosphorous Matches Bill

5. The object of this Bill was to prohibit the importation into India, and the manufacture and sale in this country of matches, which contained white phosphorous. Yours committee gave it as their opinion that they could not support the Bill, as it would operate harshly in its effects upon the poor people, and re-

quested that it would be dropped. The consideration of this Bill is postponed for one year.

Joint Stock Companies.

6. In the beginning of the year, your Committee received an important communication from the Government of Bombay, asking them their opinion as to the necessity for introducing some changes with regard to the working of Joint Stock Companies, particularly those which described themselves as Banks. Your Committee after a long consideration, sent several suggestions to the Government, urging that changes were required in Legislation affecting Joint Stock Companies. They recommended also some amendments in the working of Joint Stock Companies, and also with regard to the appointment of Auditors, etc.

Weights and Measures.

7. Your Committee were consulted by the "Weights and Measures" Committee appointed by the Government to make proposals for Standardization of weights and measures, which had submitted an *ad interim* Report. Your Committee thought that executive action as a preliminary would be far better than Legislation, as the former would be in consonance with the cherished sentiments of the people themselves in each district.

Refund of Fright for Coal Shortage.

8. Last year several coal merchants approached your Committee, with a request that the B. B. & C. I. Railway might be asked to introduce the System of Reweighment of coal at destination stations and of refund of freight for any shortage. As the B. B & C. I. Railway did not accede to the request, your Committee wrote to the Railway Board, drawing their attention to this grievence. Unfortunately the Railway Board, it appears, did not like to interfere, and so the matter hangs as it is.

Sample packets by Post.

9. Your Committee drew the attention of the Government to the large difference between the weights allowed for sampled Packets for Foreign Post (Great Britain to

India, and for Inland Postage in this country. The Correspondence is still going on, and the Committee hope that this difference will be removed.

Representation of the Chamber to the Municipal Corporation.

10 Your Committee represented to the Bombay Municipal Corporation the injustice, under which the Indian Commercial Community was labouring in not having a single Representative on a Body, which was entrusted with the responsible work of looking to the civic affairs, and requested that the Corporation would be pleased to recommend to the Government to introduce such changes in the Municipal Constitution as would enfranchise this Chamber to send in future two representatives to its Body. Your Committee hope that the justice of our demands will be appreciated and that they will be granted.

College of Commerce.

11. Last year your Committee moved the University of Bombay to have a Degree of Commerce. A Sub-Committee was appointed to report over this, and the University instituted such a Degree on the recommendation of this Sub-Committee. But the institution of this Degree would have been useless without the establishment of a College of Commerce, and so His Excellency Sir George Clarke rightly moved in this direction. Several gentlemen and Public Bodies assured their support, and your Committee also have promised an annual donation of Rs. 1,000.

Restrictions against using Royal Coat of Arms without permission.

12. Your Committee were consulted on the subject of Legislation with a view to preventing the improper use of the Royal Arms and the Prince of Wales's Feathers in India. Your Committee did not think that the practice of using the Royal Arms without any warrant for the same had grown to such an extent, as to necessitate Legislation in that connection, but they observed that if the Government thought that there was such a necessity, they would have no objection to Legislation on the lines of the English Trade Marks Act, provided the Penal Clause on the lines of the English Merchandise Marks Act were not introduced.

Food Stuffs Statistics.

13. Your Committee represented to the Government that the figures of the outturn and also estimates of food stuffs like Jawar, Bajra, etc., should be given in Government Blue Books, as they being the staple food of a large portion of the population, such statistics would be very useful in any enquiry relating to the condition of the people. After some correspondence, your Committee received a letter from the Government, that the Local Governments of those Provinces, in which the cultivation of the crops in question was sufficiently large to justify their publication, were asked to give figures of total outturn in their Season and Crop Reports.

Make up of Imported Bleached and Unbleached Yarn.

14. Your Committee were asked their opinion regarding the question of the modification of the existing Regulations concerning the make-up of the Imported grey and bleached yarns, and the reduction permissible in the Count of the latter. Your Committee, excepting one point, differed from the proposals suggested by the Government, and observed, that these were not necessary.

Short of Railway Wagons.

15. The attention of your Committee was drawn to the statement, made in the reply of the General Traffic Manager, G I.P. Railway, Bombay, to the representation of the 'Grain Merchants' Association, that "The wagons were hardly sufficient to deal with the Traffic in an ordinary season", and requested that this question should be carefully investigated by the Railway Board, as upon that depended, to a large extent, the development of Trade and Commerce.

Undue Preference.

16. Through various reasons our merchants had not got sufficient Railway facilities this year. Chiefly there was the serious complaint of certain Indian Merchants of Cawnpore, that at that station, in the matter of supply of wagons, the priority of consignment notes was not taken into account, but that preference was given to some Firms. The Committee sent a re-

presentation to the Railway Board, regarding this, and when the matters assumed a serious form and there was no reply from the Railway Board to their Representation, they sent a telegram to the Hon'ble Mr. Clarke, Member for Commerce and Industry Government of India. A telegram was received in reply that the Committee should see the Hon'ble Sir T. Wynne on his visit to Bombay. Such an interview was arranged and held when the Cawnpore matter was fully, discussed, and it was decided that a Meeting of enquiry would be held by the Hon. Sir T. Wynne at Cawnpore and that the Chamber would be represented there. Such a' meeting was held and the Chamber was represented by the Secretary and Mr. Naranji Haribhai. We are glad to say that the Railway authorities met the representation of your Chamber half-way. The proposal of serial loading was decided to be discussed and settled by the representatives of this Chamber with Mr. Rumboll, General Traffic-Manager, G. I. P. Railway. Such a result may be considered very satisfactory indeed. A scheme about the serial loading of goods in accordance with the registration order of consignment notes is now prepared and approved of by both the parties and will be put as an experiment at several stations on the G. I. P. Railway Line. A further Meeting will be held in December to see the result of working of this scheme. Your Committee hope that through the mutual co-operation of the Railway Authorities and the Merchants, a practical scheme will be worked out and all the evils of undue preference eliminated.

Contract with British India Steam Navigation Coy.

17. Your Committee approved of the proposed Revised Contract with the British Indian Steam Navigation Compan with its new timings and some newly added lines.

Changes in the Department of Commerce.

18. Your Committee approved of certain changes proposed by the Government in the administration and arrangement of the Department of Commerce and Indus-

try, and the creation of two separate posts of Directors of Commercial Intelligence, in place of the existing post of Director-General of Commercial Intelligence, and also of the proposed tours of the Heads of this Department and of the location of several departments at Delhi.

Representation of the Chamber on the Improvement Trust Bill.

19. It is a regrettable fact that there is mot a single representative of this Chamber on the Board of the Improvement Trust with which the Commercial Communitty has so direct a connection.

Your Committee therefore represented to the Government, supporting the proposal of the Bombay Municipal Corporation regarding the advisability of introducing such a change in the existing Constitution of the Improvement Trust, as to enfranchise this Chamber. Unfortunately the Amendment regarding the proposed change in the Constitution was declared out of order.

Liability of Pay of Military officers to Attachment by Civil Court Decree.

20. Your Committee were asked their opinion, as to whether the Pay of the Military Officers should be considered liable to attachment by Civil Court Decrees. Your Committee expressed their opinion that such should be the case, as otherwise Merchants would not be ready to advance loans to these Officers.

Insurance Rules.

21. The proposed Insurance Rules in connection with the Indian Insurance Companies Act, 1912, were sent to your Committee for their consideration. Your Committee suggested some modifications with regard to the qualifications to be possessed by Actuaries, and also with regard to the Auditors.

India Companies Act.

22. For a long time past. a necessity was felt for revising the Indian Companies Act of 1882, and bringing it more into line with the British Companies Act of 1909. The Government of India have introduced such a Bill in the Imperial Council, and have sent it round to Chambers

of Commerce for their opinion. Your Committee are also asked their opinion and are at present considering over the matter.

23. The Government appointed a special Holidays Committee to consider the re-arrangement of some Holidays The Hon. Mr. Manmohandas Ramji was sent as a Representative of this Committee. Holidays Committee.

24. There was an increase of seven Members in the membership of this Chamber and three ceased to be members Increase in Membership of the Chamber.

25. Your Committee have great pleasure to inform you that the Journal of the Chamber has continued its steady progress and shows a good increase, both with regard to advertisements and subscriptions. Special thanks are due to H. H. The Gaekwar of Baroda, H. H The Maharaja Saheb of Bhavnagar, and H. H. The Thakore Sahib of Limbdi for subscribing to copies of the Journal. Thanks are also due to our contributors, especially among whom may be mentioned the names of Messrs. Motilal Vallabhji, Naranji Amarshi, Lakhmichand Dosabhai, R. L. Sutaria and others. The Journal.

26. During the course of the year, your Committee had interviews with the Hon. Mr. Clarke, Hon. Mr. Enthoven, and Hon. Sir T. Wynne, when several important commercial subjects were discussed. Interviews with Members of the Government.

27. To meet the increasing wants of the Chamber the annual subscription has been raised from Rs. 25 to Rs. 30 per annum. Increase of Membership. Subscription.

28. The Balance Sheet of the Chamber, audited by the Honorary Auditor Mr. Rice. is appended herewith. Balance Sheet.

THE INDIAN MERCHANTS' CHAMBER AND BUREAU.

Income and Expenditure Account for the year ended 31st August, 1912.

EXPENDITURE.	Rs.	As.	P.	Rs.	As.	P.	INCOME.	Rs.	As.	P.	Rs.	As.	P.
To Office Establishment, Rent and Insurance	3,221	15	2				By Balance Brought Forward				4,587	1	7
„ Postage and Telegrams...	301	3	6				„ Admission Fees... ...	350	0	0			
„ Miscellaneous Expenses ...	178	4	9				„ Membership Subscriptions	4,895	0	0			
„ Subscriptions to various Journals Books and Magazines	360	14	5				.....				5,245	0	0
„ Stationery	251	0	0				„ Subscriptions to the Journal	669	6	6			
„ Printing Chamber's Report, etc	466	10	0				„ Advertisments	1625	3	8			
„ „ „ Journal...	2,158	12	0				.....				2,294	10	2
„ Commissions	322	11	7				„ Interest on Current and Fixed Deposits ...	201	2	10			
„ Furniture	203	0	0				.....				201	2	10
„ Contribution of the Chamber to the Royal Address	243	0	0										
.....				7,707	7	5							
„ Balance *viz.*, Excess of Income over Expenditure for the yeer ended 31st August, 1912				4,620	7	2							
Total Rs. ...				12,327	14	7	Total Rs. ...				12,327	14	7

BOMBAY, 6th September, 1912.

I have examined the above account of Income and Expenditure with the Books and Vouchers of the Indian Merchants' Chamber and Bureau, and certify the same to be correct.

A. C. RICE, A.C.A. Chartered Accountant, (England.) Honorary Auditor.

M. RAMJI, Chairman.

J. K. MEHTA, Secretary.

APPENDIX A.

List of Magazines and Papers subscribed by the Chamber during the year under report.

(1) The Bombay Samachar
(2) The Times of India—The Jam-i-Jamshed.
(3) The Bombay Government Gazette all the parts.
(4) The Gazette of India
(5) The Indian Trade Journal
(6) The Capital
(7) The Gujarati
(8) The Economist
(9) The Statist
(10) The Board of Trade Journal (Free).
(11) The London Chamber of Commerce Journal (Free)
(12) The Magazine of Commerce.
(13) The Banker's Magazine
(14) The Manchester Chamber of Commerce Journal (Free)
(15) The Indian Textile Journal
(16) The Prajabandhu (Free)
(17) The Gujarati Punch (Free)
(18) The Vasant
(19) The Guansudha
(20) The Buddhiprakash } Gujerati (Free)
(21) The Vaidyakalpataru
(22) Byapari and Karigar (Free)
(23) The Investor's Review
(24) American Revew of Reviews.
(25) System
(26) Bulletin of Agricultural Statistics. (Free)
(27) Review of Reviews
(28) The English Review
29. The Shrutibodha

APPENDIX B.

All Government publications are supplied free to the Chamber.

Appendix A.

No. 503—1911.

Bombay, 7th June 1911.

Telephone No. 52.

The Chairman,

Indian Merchants' Chamber and Bureau,

Bombay.

DEAR SIR,—The Chairman of the Chamber of Commerce has been in communication with the Private Secretary to His Excellency the Governor regarding an Address which the Committee had suggested might be presented to His Majesty in December by the Commercial Community of Bombay. As His Excellency has approved the idea I am now writing to enquire if your Chamber will join with the Chamber of Commerce in the presentation of this address, and if so my Committee will be much obliged if you will kindly depute two of your Members to act in consultation with a Sub-Committee of this Chamber.

The Address will not be publicly presented, but will be submitted to His Majesty in all probability through the Government of Bombay.

I am, Dear Sir,

Yours faithfully

R. E. GREGOR PEARSE,

Ag. Secretary.

12th June 1911.

From,

The Indian Merchants, Chamber and Bureau,

To

The Secretary,

Bombay Chamber of Commerce,

Bombay.

DEAR SIR,—I am asked by the Committee of this Chamber to acknowledge the receipt of your favour of the 7th inst. and to tender their thanks to the Committee of your Chamber for their invitation to this Chamber to join them in an address by the Commercial Community of Bombay to His Majesty the King Emperor. My Committee cordially approve of this proposal and will join with your Chamber in the presentation of the Address. The Hon'ble Mr. Manmohandas Ramji and Mr. Purushottamdas Thakordas, Chairman and Vice-Chairman of this Chamber are nominated by the Committee to meet in consultation with a Sub-Committee of your Chamber.

Yours faithfully,

J. K. MEHTA,

Secretary.

No. 535—1911.

The Chamber of Commerce,

Bombay, 15th June 1911.

The Chairman,

Indian Merchants' Chamber and Bureau,

Bombay.

DEAR SIR,—In connection with the Address of Welcome which it is proposed to present to His Majesty The King Emperor in December next, on behalf of the Mercantile

Community, I am directed to inform you that in accordance with the instructions contained in the Press Communique dated 13th instant. a formal application has been made to the Bombay Government for permission to present the Address to His Majesty through the Local Government.

I am, Dear Sir

Yours faithfully,

R. E. GREGOR PEARSE,

Ag. Secretary.

To

His Most Excellent and Imperial Majesty

KING GEORGE THE FIFTH,

King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Defender of the Faith.

EMPEROR OF INDIA.

AND

To Her Excellent and Imperial Majesty

THE QUEEN-EMPRESS.

May it please Your Imperial Majesties,

We, the Chairmen and Vice-Chairmen of the Chamber of Commerce, Millowners' Association, Cotton Trade Association and Indian Merchants' Chamber and Bureau, on behalf of our Members and as representing the Commercial Community of Bombay, desire to approach Your Imperial Majesties with an assurance of our deep loyalty and affection and with a sincere and cordial welcome to Your Imperial Majesty's great Indian Empire and to the City of Bombay, the oldest possession in India of the British Crown.

Your Imperial Majesty's gracious resolve to visit this country so soon after Your Accession, to proclaim Your

Coronation at the ancient and Imperial City of Delhi, has touched the hearts of the peoples of India as a great and noble act worthy of Your Imperial Majesty's high position, and as striking evidence of Your Imperial Majesty's great interest in this important part of Your Dominions.

The visit of Your Imperial Majesties to this City only a few years ago is still fresh in our memories; and the hearty response which has been made to the schemes that have been formulated to welcome and celebrate the arrival of Your Imperial Majesties on this unique and memorable occasion, prove most conclusively our loyalty to Your Throne and our devoted attachment to Your Imperial Majesty's person and family.

Your Imperial Majesties' visits in recent years to Canada and Australia and this second visit to India will help to bind together Your Imperial Majesty's subjects in every part of the world It is a matter of the greatest satisfaction to us in Bombay that India should have been selected as the Country for a first visit after Your Accession and that Bombay has been honoured as the port of arrival. The Commercial Community of this City—European and Indian—cordially welcome Your Imperial Majesties, and are proud of having this opportunity of testifying their loyalty and devotion.

It would have been a source of great satisfaction to the Mercantile Community of Bombay if the Alexandra Dock, the foundation stone of which Your Imperial Majesty was graciously pleased to lay on Your last visit, could on this occasion have been formally opened; but a year or more is still required to complete this great work which will give Bombay an additional wet dock for her great and rapidly increasing trade as well as those modern facilities which are necessary for her important position as the Port of arrival and departure of the English Mail Steamers.

Bombay with its splendid harbour has always been a great commercial port and, as time goes on, its influence and importance must increase. The Chamber of Commerce was founded in September 1836 in the reign of His Majesty King William IV., and therefore has been in existence for over 75 years. In March 1870 the Chamber had the honour of presenting an address to His Royal Highness the late Duke of Edinburgh; and it is only a few years ago since Their Highnesses the Duke and Duchess of Connaught were living amongst us, His Royal Highness being Commander-in-Chief of the Bombay Army from 1886 to 1890.

Since His Royal Highness the Duke of Edinburgh landed in Bombay, great changes have taken place. The population has increased by 50 per cent. and is now little short of one million. The vessels annually entering the Port have increased from 2,200 to over 52,000; and in the City and Island of Bombay there are now 89 Cotton Mills employing 105,000 workpeople as against only 10 Mills in 1870 with less than 9,000 employees. The Millowners' Association was established in 1875 to deal with matters affecting this great and growing industry and has now amongst its members many of our leading citizens.

Bombay is, moreover, the chief market in India for raw cotton, and the growth of this trade is shown by the fact that whereas in 1870 the receipts into Bombay were only one million bales, last year they reached the large total of over three millions. The Cotton Trade Association was formed in 1876 to deal with this important branch of trade and can look back on a long and useful career.

The Indian Merchants' Chamber and Bureau was founded about four years ago, to protect the interests of the internal trade of the Country, and is likely to have a career of great usefulness.

The visit of Her Imperial Majesty the Queen-Empress to India is viewed with the liveliest satisfaction by all classes

of the community, for Her Imperial Majesty's great interest in all charitable works and solicitude for the poor and suffering, are characteristics well known already to the people of this Country.

With our earnest prayer for the health and welfare of your Imperial Majesties; trusting that your Imperial Majesties' visit to India may be most enjoyable and successful and that your Imperial Majesty's reign may be long and prosperous,—in the name and on behalf of the Members of our Associations,

We have the honour to be,

Your Imperial Majesties'

Most faithful and obedient subjects,

(Sd.) C. H. ARMSTRONG (Chairman) } Bombay Chamber
W L. GRAHAM (Dy. Chairman) } of Commerce.

N. N. WADIA (Chairman) } Bombay Millowners' Association.
J F. BRADBURY (Dy. Chairman) }

H. R. GREAVES (Chairman) } Bombay Cotton Trade Association, Ld.
T. D. MOORE (Dy. Chairman) }

MANMOHANDAS RAMJI (Chairman) Indian Merchants' Chamber and Bureau

PURSHOTAMDAS THAKORDAS (Dy. Chairman) Indian Merchants' Chamber and Bureau.

Bombay, 2nd December, 1911.

No. 99 of 1912.

The Chamber of Commerce,

Telephone No. 52 Bombay 25th January 1912.

The Secretary,

Indian Merchants' Chamber and Bureau.

Dear Sir,

With reference to the joint Address which was presented to Their Imperial Majesties, the King Emperor and Queen

Empress, I am directed to inform you that the following reply has been received through the Bombay Government:—

"The King Emperor commands that a cordial expression of thanks in his own name and that of the Queen Empress may be conveyed to the Mercantile Community for their loyal address of congratulation. Their Imperial Majesties have been deeply touched by the warmth of the welcome accorded to them in Bombay. They have read with feelings of sincere pleasure the evidence in the address of the steady growth of her commerce and industries and they are gratified to learn that the facilities which the expansion of her trade requires will before long be increased by the completion of the Alexandra Dock. Their Imperial Majesties carry away with them from Bombay many happy memories of a land which they have left with deep regret and the Mercantile Community may rest assured that they will continue to take a deep and lively interest in the prosperity and well being of their City."

I am, Dear Sir,

Yours faithfully,

R. E. GREGOR PEARSE,

Ag. Secretary.

Appendix B.

THE NUSHKI-SEISTAN TRADE ROUTE.

Commercial Intelligence Department, India.

Calcutta, the 26th September 1911.

From

Frederick Noel-Paton, Esq.,

Director-General of Commercial Intelligence.

To

The Secretary,

Indian Merchants' Chamber and Bureau.

Sir,

I have the honour to forward for information a copy of the contract for the supply of camels, on the Nuski to Dewan Chah Section of the Nushki-Seistan Trade Route, made for the year ending April 1912.

I have the honour to be,

Sir,

Your most obedient servant,

E. SEQUEIRA.

For Dir-Genl. of Commercial Intelligence.

Enclosure-1.

R. N. 26-26.

AGREEMENT.

The contractors, consisting of the parties whose names are affixed to this contract, agree to take up the contract to supply camels on the Nushki-Dewan Chah Section of the Nushki-Seistan Trade Route, on the following conditions:—

1. They are to receive Rs. 250 per mensem.

2. They bind themselves to keep at their head-quarters at Nushki a reserve of not less than 50 camels in summer and 70 in winter.

3. The parties to this agreement have the sole right of supplying camels whether engaged by the journey or by time and when camels are engaged otherwise than through the camel contractors, the contractors are entitled to recover from the persons or* persons so engaging them a Jemadari fee at the same scale as, or similar in amount to, that laid down in para: 4 or 11, as the case may be, but this Jemadari must be claimed before the camels concerned leave the district. Camels on which this Jemadari fee has been paid, are liable to detention within the Chagai district until this obligation is discharged in full. The provisions of this para: do not apply where it can be shown that the contractors were unable to supply the transport required nor do they apply in the case of riding camels.

4. The contractors will supply as many camels as are required of them at the following rates:—

(*a*).—Nushki to Dalbandin, 7 marches, at 12 annas per camel load of five maunds per stage.

(*b*).—Dalbandin to Mashki Chah, 7 marches, at 14 annas per camel load of five maunds per stage.

(*c*).—Mashki Chah to Dewan Chah, 7 marches, at Re. 1 per camel load of five maunds per stage.

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* The hiring agency and not the persons for whom they are hired.

Plus Re. 1 Jemadari or a total of Rs. 19-6-0 for the single journey. The contractors will further supply camels at the same rates for the journey Dewan Chah to Nushki. In the event of their camels going or returning unladen, they will receive compensation at the rate of anna 1 per camel per every four miles they return empty, or Rs. 5-12-0 for the entire journey Dewan Chah to Nushki calculated as follows:—

	Rs.	a.	p.
(*a*).—Nushki to Dalbandin	1	13	0
(*b*).—Dalbandin to Mashki Chah ...	2	1	0
(*c*).—Mashki Chah to Dewan Chah...	1	14	0
Total	5	12	0

No Jemadari will be paid for the return journey Dewan Chah to Nushki should camels which went to Dewan Chah laden return either laden or empty and *vice versa*, and if the journey for which camels are engaged is merely one or more of the sections (*a*), (*b*), (*c*), enumerated above, the Jemadari chargeable will be for (*a*) 0-5-0, for (*b*) 0-5-0, and for (*c*) 0-6-0, the same rule applying. No Jemsdari is chargeable for any distance under 50 miles and full Jemadari, at the sanctioned rates enumerated above, will be recoverable for any distance over 50 miles whether such distance is on or off the trade route. On all camels engaged locally in Nushki for the transport of goods to Kharan, other than local produce, will be levied a Jemadari fee of 0-5-0 per camel. Camels which are engaged in Kharan, and proceed either to Nushki or to the Nushki Railway Station and back direct to Kharan will be free of this fee.

In the event of there being any return loads available at either Dewan Chah, Robat, Saindak, Mashki Chah, Merui or Dalbandin, *i. e.*, for the whole journey or for any part thereof, the contractors are bound to take them at the rate given in para: 4 without demur on pain of losing all com-

pensation granted for camels returning empty, and should the aggregate maundage of the loads available be not divisible by 5, the regulation weight which every camel under this agreement will carry, any balance which remains over will be regarded as being a full load and will be charged for as such. Payment for the carriage of return loads will be transmitted to the Tahsildar, Nushki, direct though the medium of his Britannic Majesty's Consul. No payments of any kind for the carriage of return loads will be granted at Dewan Chah but these loads, on their arrival at Nushki will not be made over to the consignee until all carriage charges have been liquidated.

5. The contractors engage to take the following time on the road:—

(*a*).—Nushki to Dalbandin or *vice versa*	...	8	days
(*b*).—Dalbandin to Merui ,,	...	4	,,
(*c*).—Merui to Mashki Chah ,,	...	6	,,
(*d*).—Mashki-Chah to Saindak ,,	...	5	,,
(*e*).—Saindak to Dewan Chah ,,	...	6	,,
Total	...	29	days

For the whole journey a period of 29 days will thus be allowed it being immaterial whether the periods taken between the intermediate stages enumerated be longer or shorter than those just given, provided the maximum time laid down for the whole journey be not exceeded.

In cases of goods despatched from one intermediate station to another the specific periods which relate to such a section must not be exceeded.

6. The provisions of para: 5 will not apply to any delay, direct or indirect, to which either the contractors or caravans may unavoidably be put by stress of weather, in

which is included dust-storms, blizzards, rain, snow, or flood, or by serious illness, individual or epidemic etc., but in every case the contractors or caravans are bound to report the matter to either the Tahsildar, Nushki, or to the first Thanah they reach, after such delay, and obtain in the latter case the Thanadar's countersignature on the way bill with which they will be provided; otherwise no plea of this description will be entertained.

7. For every delay, not provided for in para: 6, the contractors will be liable to pay a fine of 4 annas per camel per diem for every day they exceed the period prescribed. This fine will be made a debit against the balance of hire in the Tahsildar's hands and thereafter, if necessary, against the contractors' pay before disbursal and it will then be credited to the owner of the goods or to the traveller concerned, as the case may be.

8. In cases where camels are ordered to be at Dewan Chah or Nushki and the goods do not arrive on the date fixed a compensation fee at the rate of annas 6 per camel per diem will be recovered from the trader responsible, in addition to the hire laid down in para: 4. This compensation will go to the camelmen to recoup them for the out of pocket expenditure to which they are put by such detention and must be paid before the caravan leaves. In any case where a trader or traveller delays his caravan on the road for any private reason of his own, (unless such reason be due to stress of weather, such as is referred to in para: 6, or serious illness, in which case a report must be made to the nearest Thanadar for enquiry and entry in the way bill) the contractors can recover 6 annas per diem for every camel so delayed, but in order to substantiate a claim under this para: the leader of the caravan must report the matter to the first Thanah he reaches and obtain an entry to this effect in his way bill.

9. When camels are required the following notices will be given the contractors:—

Outwards—(*a*).	Up to 6 camels	...	6 days.
(*b*).	,, 50 ,,	...	12 ,,
(*c*).	,, 100 ,,	...	20 ,,
(*d*).	,, 200 ,,	...	25 ,,
(*e*).	,, 300 ,,	...	30 ,,
(*f*).	,, 500 ,,	...	35 ,,
(*g*).	,, 700 ,,	...	45 ,,
(*h*).	,, 1,000 ,,	...	60 ,,

Inwards—A similar number of days warning to the foregoing plus 29 days to admit of their camels reaching Dewan Chah. This notice, which must be in writing, will be addressed care of the Tahsildar, Nushki, and the date it will have effect from will be the date on which the advances prescribed in paras: 14 or 16, as the case may be, are received. The receipt of this money will be acknowledged in writing forthwith as will also be the date on which the notice was received.

In cases where the contractors fail to supply camels within the period specified above, they will be liable to pay a fine of 3 annas per camel per diem for every camel not thus supplied, but they will not be called on to supply camels to a second order of the same person or his agent until the notice given under the first order has expired.

10. In the event of any extraordinary nuber of camels being required the contractors have the right to apply, through the Political Agent, to the Local Government, for special pecuniary assistance.

11. The contractors will supply all camels which are engaged by the month within the limits of the Chagai Agency at the following rates:—

Rs. 17-4-0 per camel per mensem of which Re. 1 is Jemadari and Rs. 16-4-0 goes to the owner of the camel. Camels engaged by the month must be engaged for not less than two full months and they cannot be dismissed except at the point from which it was they started or unless payment is made for the time they will take to return to that point or to their head-quarters, as the case may be, according to the scheduled number of marches, allowing in addition to the latter, one day's halt for every 70 miles, or fraction of the same over 50 miles. In cases where camels engaged for the journey to Robat or Dewan Chah are, after their arrival at either of these places, engaged by the month the Jemadari fee chargeable under this para: will have effect from the beginning of the second month.

12. Should any camels engaged under the provisions of para: 11 be called on to proceed beyond the frontier, the rates charged will be Rs. 21 per camel per mensem of which Re. 1 is Jemadari and the balance, in full, will go to the camelman: the difference between the two rates of Rs. 17-4-0 and Rs. 21 will take effect from the day the frontier is crossed and will have effect until the frontier is recrossed. In cases where camels hired by the month are called on to cross the frontier, the hirer of such is responsible for any further payment for which either men or camels may be mulcted in the form of *Tazkara*, *Rahdari*, or other tax or fee levied by the Persian Government and also for any fine or other penalty which may be recoverable by the latter and which is the natural outcome of an order issued by the hirer.

13. The provisions of this contract are not applicable to camels (*a*) the *bona fide* property of traders, local or other, or of travellers; (*b*) to camels engaged within or without the District by officers or officials of the Chagai Political Agency or of any other Political Agency in Baluchistan who will, as heretofore, make their own arrangement; (*c*) to camels engaged by the military authorities for military

purposes; (*d*) to camels engaged without the district in either Persia or Afghanistan; (*e*) to camels engaged in Persia, such as Seistan. Birjand, Meshed, Jalk, for the *bona fide* transport of merchandise to or from Nushki and Quetta, whether the same trader engages these camels for the return journey or not, provided however that such camels return to some point beyond the frontier. Similarly this contract will not apply to camels engaged either in Afghanistan, Kharan, Mashkel or in Sarhad, for *bona fide* local trade between these places and either Quetta or Nushki or between the places named and any intermediate stage on the trade route between Robat and Nushki.

14. In every case where camels are required for the journey Nushki to Dewan Chah, a sum of Rs, 13 per camel will be deposited, when the camels are ordered, with the Tehsidar, Nushki. Out of this sum Rs. 5 per camel will be advanced as earnest money forthwith to camelmen on the contractors' security, and the balance of Rs. 8 per camel when the caravan starts. The differnce between the sums paid and the full hire *i. e.* Rs 6-6-0 per camel, will be deposited with the Tahsildar, Nushki, before the caravan leaves. In addition the sums noted above, a sum of Rs. 5-12-0, as per para: 4 above, will be placed in deposit with the Tahsidar, Nushki, who will return to the trader's agent in Quetta or to his representative in Seistan, the whole or such proportion of this sum as remains unexpended, under the provisions of para: 4 referred to above, less postal or other commission. The Jemadari of Re. 1 per camel with be kept in deposit by the Tahsildar, Nushki, until camelmen return with their recipted way bills as is provided for in para: 22 below.

15. For every camel which is required for the journey Dewan Chah to Nushki, sums corressponding to those noted in para: 14 above will be lodged with His Britannic Majesty Consul in Seistan for transmission, at the current rate of exchange of Indian rupees, by that officer to the Tahsildar,

Nushki, by the first mail leaving. The date on which the supply bill for the amount of carriage, etc. as per para: 14, reaches the Tahsildar, will be regarded, for the purposes of para: 9, as being the date from which the notice will have effect.

On the occasion of any special emergency, camels can be ordered by telegraph through the medium of His Britannic Majesty's Consul in Seistan, but in this case the latter officer will add the date on which the supply bill should reach Nushki, failing which the supply bill will be awaited and the notice will be regarded as taking effect from that date. Should any fines for detention at Dewan Chah accrue, under the provisions of para: 8 above, these will be settled prior to the departure of the caravan from the frontier, camelmen not being held responsible for any delay which may result in the event of any dispute on this subject arising, An intimation that a fine of this description has been recovered will be entered in the way bill. Any fines which may accrue on the road, under the provisions of the same para: will be paid on arrival at Nushki, provided they are supported by the necessary Thanadars' entries in the way bills.

16. In cases where camels are engaged by the month, as provided for in para: 11 above. two full months' pay, will be deposited with the Tahsildar, Nushki, in advance, of which Rs. 5 per camel will be forthwith paid to camelmen, as earnest money, and a balance of one month's pay will be handed them on the date they leave. All payments for subsequent months will be disbursed by the hirer direct to camelmen at the rate prescribed in the aforesaid para: Should the engagement be for a short period, that is to say for any time up to 3 months, the Jamadari will be paid in advance to the Tahsildar who will hold it in deposit until the conclusion of the engagement. Should the engagement exceed 3 months, the Jemadari for every subsequent quarter will be paid to the Tahsildar in advance, and, provided no

justifiable complaints are forthcoming, the Jamadari for the previous three months in deposit will then be paid to the parties to this agreement direct. At the termination of the engagement the one month's pay retained in deposit by the Tahsildar, Nushki, will be disbursed to the camelmen provided no justificable complaints are forthcoming.

17. In cases where camels are engaged under the provisions laid down in paras: 4 or 11 and the person engaging them subsequently cancels his order, the earnest money which has been paid will be forfeited and the balance left, less postal commission and any fine which may possibly have accrued under para ; 8, will be returned. In all cases where camels are engaged by the month they will receive, where such is procurable, a daily allowance of "*ardawa*," cotton seed, or other food. This latter only applies to the winter months October to March, and the cost will be defrayed by camelmen direct.

18. All goods tendered for carriage will be securely packed in gunny bags, boxes, or leather cases, and the contractors have the liberty to refuse goods for delivery that are not properly packed and secured. The weight of any one package must not exceed 2½ maunds. Compensation for loss caused by stress of weather cannot be claimed unless special and adequate coverings are provided by the hirer.

19. Any liquids packed in tins. bottles, etc. in which are included oils of various descriptions, ghee, liquors, medicines, etc, and any fragile article made of either glass or china will be accepted at the owner's risk and then only if packed in stout wooden boxes, or leather cases, or "*koupas*." Camelmen will provide the large ropes required to bind the loads on to their camels but the smaller ropes used to tie the various packages together must be supplied by the hirer himself.

20. Loss through raids will be regarded as lying without the province of contractors, but a report of the circumstances must be made within 48 hours to the nearest Thanah.

21. Materials required for building purposes, in which are included wooden and iron beams of moderate size, bricks, stone, galvanized iron sheeting and iron pipes, telegraph poles, and machinery will be charged for at a rate 25 per cent in excess of that laid down in para; 4, excluding the Jamadari fee of Re. 1 which will remain constant, unless these materials are of an exceptionally weighty or cumbersome nature such as "*kajawas*" when 50 per cent. will be charged. The return journey of camels, which come under the provisions of this para: returning unladen will be compensated for at the same rate as is provided for in para: 4 above. In the event of any dispute arising as to the articles which come under the provisions of the para; the decision will rest with the Tahsildar, Nushki, who will explain to the parties concerned that any delay caused by such a dispute in rates is debitable to the party against whom the finding is given, but an appeal is permitted to the Political Agent whose verdict will be final.

Camels falling within the provisions of this para. can only be engaged by the journey and the provisions of para. 11 do not apply.

22. When camels arrive at Dewan Chah the trader or his agent will immediately inspect the consignment and make an entry in the printed way Bill to the effect that he has inspected his goods and that they have arrived in good order. In cases where the consignee or his agent is not present to take delivery at Dewan Chah and no representative of his has accompanied the caravan, the trade Agent, will inspect the consignment and will issue a receipt in the way bill that all is in order. Such a receipt will be regarded as final, no subsequent complaint being admitted. In cases where any loss

or damage has taken place in transit, an entry to this effect will immediately be made in the way bill, either by an intermediate Thanadar, or by the Thanadar at Robat, or by the Trade Agent Dewan Chah, as the case may be, and provided proof of such loss or damage is forthcoming, steps will be taken to recover the value from the contractors. In no case will the second portion of the hire be disbursed by the Tahsildar, Nushki, until camelmen produce this way bill receipt. Traders, travellers, or others, accompanying caravans are bound to report any loss or damage which may occur to their property, to the first Thanadar they meet on the road and he will conduct an enquiry into the matter and make an entry in the way bill, and unless they can clearly show that there was sufficient reason for this loss or damage not having come to their knowledge, any claim they may afterwards prefer at Dewan Chah or elsewhere will be ignored.

23. Claims for any losses which the goods of merchants may suffer in transit must be filed in the Political Agent's office within 1½ months of the arrival of these goods at either Dewan Chah or Nushki and any claims not so filed will be dismissed. The same rule will apply to all claims which lie under this contract but in case of any claim arising out of the provisions of para. 9 this must be filed within a fortnight of the Caravan's departure from Nushki or Dewan Chah as the case may be.

24. The Contractors will not be held responsible for any delay or loss which may occur to the goods of any trader or other person between the time they reach Dewan Chah and their onward despatch to Seistan, Birjand, or Meshed, but intimation will invariably be sent to His Britannic Majesty's Consul, Seistan, of the departure of every caravan or consignment of goods from Nushki.

25. In cases where it has been shown that a complaint lodged by any merchant, dealer, traveller, or other, is of a

frivolous description, or the loss which such has alleged that his goods have suffered in transit has been wilfully exaggerated, or that any merchant, dealer, traveller, or other, has knowingly evaded the provisions of this contract, the contractors will not again be called upon to supply the same person, his agent, or representative, with any further camels, during the period this contract is in force. The decision whether any complaint or loss falls under the provisions of this para. is vested in the Political Agent whose verdict will be final.

26. In the event of any dispute arising as to the interpretation of any specific para. of this contract or as to any other matter relating to this written agreement which is not provided for in the foregoing paras: the decision of the Political Agent, Chagai, shall be final.

27. This agreement is for one year only and it will have effect from 1st May 1911, the date on which the previous contract expired.

28. The tenderers whose names are subjoined, have the right of renewing this agreement annually provided; firstly, they conjointly give notice in writing to this effect three months prior to the date on which this agreement will expire; secondly, they have discharged their duties to the satisfaction of the Local Government as represented by the Political Agent, Chagai; and thirdly, Government themselves desire to renew the contract for the same terms.

(Sd) 1. Gaman Khan.
,, 2. Nur Mohammad.
,, 3. Raza Mohammad.
,, 4. Abdul Rahman.
,, 5. Sardar Rasul Bakhsh Lango.

Countersigned,

(Sd.) F. C. WEBB WARE, Major,
Political Agent,
Chagai.

QUETTA: The 1st June 1911.

Appendix C.

WEEKLY QUOTATIONS FOR COTTON IN THE INDIAN TRADE JOURNAL.

No. 4844.

Commercial Intelligence Department, India.

Calcutta, 2nd August 1911.

From

Frederick Noel Paton, Esq.,

Director General of Commercial Intelligence.

To

The Secretary,

Indian Merchants' Chamber and Bureau,

Bombay.

Sir,

I have the honour to inform you that hitherto weekly quotation for 20s. yarn and for Muttra Bhawnagar Cotton in Bombay have been given in the *Indian Trade Journal*. But Bhawnagar Cotton is not available at all seasons and quotations for this description are therefore sometimes nominal. It seems desirable that the description of cotton selected for quotation should be one that is obtainable at all seasons.

It is further represented that since quotations for yarn and for cotton are given it would be well to quote for such a description of cotton as might customarily be used largely in the production of the count of yarn particularised.

It has been also contended that 20s. yarn hitherto quoted is not the typical Bombay yarn and that quotations for 10s. would be more interesting.

It may be said that 20s. yarns and Bhawnagar Cotton were originally selected on the recommendation of the trade. But in view of the consideration now adduced I propose to adopt 10s. yarn and fully good Kandesh Cotton in the weekly

quotations of the *Indian Trade Journal*. I shall, however, be glad if you will obtain from your Committee a statement of their opinion as to whether this change is in their opinion desirable.

I have the honour to be,
Sir
Your most obedient servant,
F. NOEL PATON.

Bombay, 2nd September 1911.

From

The Secretary,
The Indian Merchants' Chamber and Bureau,
Bombay.

To

The Director General of Commercial Intelligence,
Calcutta.

Sir

Your letter of the 2nd August bearing Rs. 4,844 was considered by the committee of this chamber at their meeting on the 24th August. They consider it necessary that the quotation of cotton given in the Indian Trade Journal should be for the variety which is largely used in the production of the count of yarn particularised. At the same time I am to say that in the opinion of my committee 20s. yarn is really the typical Bombay yarn and not 10s, as is mentioned in your letter. The following figures will show how the production of 20s. yarn in Bombay is larger than that of any other count.

		(Lbs.)	
Count or Number.	1908-09	1909-10	1910-11
1 to 10	10,69,36,649	9,29,72,541	8,11,41,272
11 to 20	18,17,02,253	17,63,11,733	17,12,13,992
21 to 30	6,15,19,967	5,54,43,468	6,30,45,859

They therefore think that the quotation for the 20s. yarn may well be given as representing typical Bombay yarn. Regarding cotton they suggest the quotation far "Fully-Good Oomra." This cotton is not only largely used in the production of 20s. yarn but the same variety is also familiar to exporters as large business in Oomra is usually done for the continent.

It may also be mentioned that quotations far Gomra would be obtainable all the your round and would be found interesting both for export trade and for the local mill industry

As to your proposal to quote for 10s. yarn Good Khandesh my committee beg to say that in many cases only Bengals and waste are used for 10s. yarn.

I beg to remain,

Sir,

Your Most Obedient Servant,

J. K. MEHTA,

Secretary.

Appendix D.

LIFE ASSURANCE COMPANIES ACT.

No. 9606 of 1911.

Revenue Department.

Bombay Castle, 11th October 1911.

From

R. D. Bell, Esq., I.C.S.,
Under Secretary to the Government of Bombay.

To

The Secretary,
Indian Merchants' Chamber and Bureau,
Bombay.

Sir

I am directed to forward copy of a bill to provide for the regulation of Life Assurance Companies, with the statement of Objects and Reasons, and to request that you will favour Government with the opinion of the Chamber and Bureau on the provisions of the Bill.

2. I am to request that the repiy to this letter may be sent by the 5th November 1911 at the latest.

I have the honour to be,
Sir,
Your most obedient servant,
R. D BELL.
Under Secretary to Government.

[Marginal references, where not otherwise specified, are to the Assurance Companies Act, 1909 (9 Edw. 7, c. 49).]

A

BILL.

TO

Provide for the regulation of Life Assurance Companies.

Whereas it is expedient to provide for the regulation of life assurance companies; It is hereby enacted as follows:

Preliminary.

1. (*1*) This Act may be called the Indian Life Assurance Companies Act 191 .

Short title and extent.

(*2*) It extends to the whole of British India, inclusive of British Baluchistan, the Santhal Parganas and the Pargana of Spiti.

2. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(1) "actuary" means an actuary possessing such qualifications as may be prescribed by rules made by the Governor General in Council: [29.]

(2) "chairman" means the person for the time being presiding over the board of directors or other governing body of a life assurance company; [29.]

(3) "Court" means the principal Civil Court of original jurisdiction in a district, and includes the High Court in the exercise of its ordinary original civil jurisdiction: [S. 3, Act VI of 1882.]

(4) 'financial year" means each period of twelve months at the end of which the balance of the accounts of the life assurance company is struck, or, if no such balance is struck, then the calendar year: [29.]

(5) "life assurance business" means the issue of, or the undertaking of liability under, policies of assurance upon human life, or the granting of annuities upon human life: [1 (*a*).]

(6) "life assurance company" means a company to which this Act applies:

(7) "policy of assurance on human life" means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life: [30 (*a*.)]

(8) "policy-holder" means the person who for the time being is the legal holder of the policy for securing the contract with the life assurance company: [29.]

(9) where a company grants annuities upon human life, "policy" includes the [30 (*b*).]

instrument evidencing the contract to pay such an annuity, and "policy-holder" includes annuitant: and

(10) "Registrar" means the Registrar of Joint Stock Companies. [29,]

3. Save as hereafter expressly provided, this Act shall apply to all persons or bodies of persons, whether corporate or unincorporate, whether established before or after the commencement of this Act and whether established within or without British India, who carry on life assurance business within British India. [1.]

Companies to which Act applies.

Explanation.—A company registered under the Indian Companies Act, 1882, which carries on life assurance business in any part of the world shall for the purposes of this section be deemed to be a company carrying on such business within British India. VI of 1882.

Exception.—Nothing in this Act shall apply to any society to which the Provident Insurance Societies Act, 191 applies, or to any Fund which the Governor General in Council may, by notification in the Gazette of India, exempt from the operation of this Act.

Deposits.

4. (*1*) Every life assurance company shall, if established before the commencement of this Act, within one year from such [2.]

Deposit.

commencement, or, if established after such commencement, before it commences to carry on the business of life assurance, deposit and keep deposited with the Comptroller General, for and on behalf of the Governor General in Council, Government securities, as defined by the Indian Securities Act, 1886, of the face value of one hundred thousand rupees. XIII of 1186.

(*2*) The interest accruing due on the securities deposited under sub-section (*1*) shall be paid to the company.

(*3*) The deposit, may be made by the subscribers of the memorandum of association of the company, or any of them, in the name of the proposed company, and, upon the incorporation of the company, shall be deemed to have been made by, and to be part of the assets of, the company, and the registrar shall not issue a certificate of incorporation of the company until the deposit has been made.

(*4*) The deposit shall be deemed to form part of the life assurance fund of the company.

Accounts and Documents.

[3 (1).]

Separation of funds.

5. In the case of a life assurance company transacting other business besides that of life assurance, a separate account shall be kept of all receipts in respect of the life assurance business, and the said

receipts shall be carried to and form a separate fund to be called the life assurance fund.

Explanation.—Nothing in this section shall be deemed to require the investments of any life assurance fund to be kept separate from the investments of any other fund.

Exception.—Nothing in this section shall apply to a life assurance company established before the commencement of this Act, by the terms of whose deed of settlement the whole of the profits of all the business carried on by the company are paid exclusively to the life policy-holders, and on the face of whose life policies the liability of the life assurance fund in respect of the other business distinctly appears. [30 (*f*.)

Appropriation of life assurance fund.

6. The life assurance fund shall be as absolutely the security of the life policy-holders as though it belonged to a company carrying on no other business than life assurance business, and shall not be liable for any contracts of the company for which it would not have been liable had the business of the company been only that of life assurance, and shall not be applied, directly or indirectly, for any purposes other than those of life assurance. [3 (2).]

Exception.—Nothing in this section shall affect the liability of the life assur- [30 (*e*).]

ance fund, in the case of a company established before the commencement of this Act, for contracts entered into by the company before such commencement.

[4.] 7. Every life assurance company shall at the expiration of each financial year, prepare—

Accounts for balance-sheet.

(*a*) a revenue account for the year in the form or forms set forth in the First Schedule and applicable to the class or classes of assurance business carried on by the company;

(*b*) a profit and loss account in the form set forth in the Second Schedule, except where the company carries on life assurance business only and no other business;

(*c*) a balance-sheet in the form set forth in the Third Schedule.

[5.] 8. (*1*) Every life assurance company shall once in every five years, or at such shorter intervals as may be prescribed by the instrument constituting the company, or by its regulations or byelaws, cause an investigation to be made into its financial condition, including a valuation of its liabilities, by an actuary, and shall cause an abstract of the report of such actuary to be made in the form set forth in the Fourth Schedule.

Actuarial report and abstract.

(2) The provisions of sub-section (*1*) regarding the making of an abstract shall also apply whenever at any other time an investigation into the financial condition of a life assurance company is made with a view to the distribution of profits, or the results of which are made public.

[30 (*h.*)

Actuarial abstract in case of mutual company.

9. In the case of a mutual life assurance company whose profits are allocated to members wholly or mainly by annual abatements of premium, the abstract of the report of the actuary on the financial condition of the company, prepared in accordance with the Fourth Schedule, may, notwithstanding anything in section 8, be made and returned at intervals not exceeding five years: provided that, where such return is not made annually, it shall include particulars as to the rates of abatement of premiums applicable to different classes or series of assurances allowed in each year during the period which has elapsed since the previous return under the Fourth Schedule.

[6.]

Statement of life assurance business.

10. Every life assurance company shall, within two years from the commencement of this Act, and thereafter at the date to which the accounts of the company are made up for the purposes of the investigation prescribed

by section 8, prepare a statement of its assurance business in the form set forth in the Fifth Schedule: Provided that, if the investigation is made annually by any company, the company may prepare such a statement at any time, so that it be made at least once in every five years.

[7 (1).]

Deposit of accounts, &c., with Governor General in Council.

11. (*1*) Every account, balance-sheet, abstract or statement hereinbefore required to be made shall be printed, and four copies thereof, one of which shall be signed by the chairman and two directors of the company, and by the principal officer of the company and, if the company has a managing director, by the managing director, shall be deposited with the Governor General in Council within one year after the close of the period to which the account, balance-sheet, abstract or statement relates: Provided that, if in any case it is made to appear to the Governor General in Council that the circumstances are such that a longer period than one year should be allowed, he may extend that period by such period as he may think fit.

[7 (2).]

(2) The Governor General in Council shall consider any document deposited in accordance with the provisions of sub-section (*1*), and, if any such document appears to the Governor General in Council to be inaccurate or defective

in any respect, the Governor General in Council may call upon the company to furnish a further statement correcting any such inaccuracies or supplying any such deficiencies.

Deposit of report.

12. There shall be deposited with every revenue-account and balance sheet of a life assurance company any report on the affairs of the company submitted to the shareholders or policy-holders of the company in respect of the financial year to which the account and balance-sheet relates. [7 (3).]

Exemption from certain provisions of Act VI of 1882.

13. Where a life assurance company registered under the Indian Companies Act, 1882, in any year deposits its accounts and balance-sheet in accordance with provisions of section 11, the company may, at the same time, send to the Registrar a copy of such accounts and balance-sheet; and, where such copy is so sent, it shall not be necessary for the company to file a balance-sheet with the registrar as required by section 74 of the Indian Companies Act, 1882, and the copy of the accounts and balance-sheet so sent shall be dealt with in all respects as if it were a balance sheet filed in accordance with that section. [7 (4).] VI of 1882.

Right of shareholders, &c., to copies of accounts, &c.

14. A printed copy of the last deposited accounts, balance-sheet, abstract or statement shall, on the application of any shareholder or policy-holder of the company, be forwarded to him by the company by post or otherwise. [8.]

[9.] 15. Where the accounts of a life assurence company are not subject to audit in accordance with the provisions of the Indian Companies Act, 1882, relating to audit, the accounts of the company shall be audited annually in such manner as the Governor in Council may prescribe.

Audit of accounts.

VI of 1882.

[10.] 16. Every life assurance company which is not registered under the Indian Companies Act, 1882, shall keep a list of members in accordance with the provisions of section 48 of the said Act, and shall on the application of any shareholder or policy-holder of the company, furnish to him a copy of such list on payment of a sum not exceeding two annas for every hundred words required to be copied.

List of members.

VI of 1882.

[11.] 17. Every life assurance company which is not registered under the Indian Companies Act, 1882, shall cause a sufficient number of copies of its deed of settlement or other instrument constituting the company to be printed, and shall, on the application of any shareholder or policy-holder of the company, furnish to him a copy of such deed of settlement or other instrument on payment of a sum not exceeding one rupee.

Deed of settlement.

VI of 1882.

[12.] 18. Where any notice, advertisement or other official publication of a life assurance company contains a statement of the amount of the authorised capital of the company, the publication shall also contain a statement of the amount of the capital which has been subscribed and the amount paid up.

Publication of authorised, subscribed and paid-up capital.

Requirements as to companies established outside British India.

19. (*1*) Every life assurance company, whether incorporated or not, constituted outside British India, which establishes a place of business within British India, shall within three months from the establishment of the place of business file with the Registrar— [S. 274, Companies (Consolidation) Act, 1908.]

(*a*) a certified copy of the charter, statutes or memorandum and articles of the company, or other instrument constituting or defining the constitution of the company, and, if the instrument is not written in the English language, a certified translation thereof;

(*b*) a list of the directors of the company;

(*c*) the names and addresses of some one or more persons resident in British India authorised to accept on behalf of the company service of process and any notices required to be served on the company;

and, in the event of any alteration being made in any such instrument or in the directors or in the names and addresses of such persons as aforesaid, the company shall, within such time as the Governor-General in Council may prescribe, file with the Registrar a notice of the alteration.

(*2*) Any process or notice required to be served on the company shall be sufficiently served if addressed to any person whose name has been so filed as aforesaid and left at or sent by post to the address which had been so filed.

(*3*) There shall be paid to the Registrar for registering any document, required by this section to be filed, a fee of five rupees or such smaller fee as the Governor-General in Council may prescribe.

Amalgamation or Transfer.

[13.] 20. (*1*) Where it is intended to amalgamate two or more life assurance companies, or to transfer the life assurance business of one company to another, the directors of any one or more of such companies, may apply to the Court, by petition, to sanction the proposed arrangement.

Amalgamation or transfer

(*2*) Before any such application is made to the Court—

(*a*) notice of the intention to make the application shall be published in the Gazette of India and the local official Gazette;

(*b*) a statement of the nature of the amalgamation or transfer, as the case may be, together with an abstract containing the material facts embodied in the agreement or deed under which the amalgamation or transfer is proposed to be effected, and copies of the actuarial or other reports upon which the agreement or deed is founded, including a report by an independent actuary, shall unless the Court otherwise directs, be transmitted to each policy-holder of each company; and

(*c*) the agreement or deed under which amalgamation or transfer is effected

shall be open for the inspection of the policy-holders and shareholders at the offices of the companies for a period of fifteen days after the last publication of the notice in the Gazettes.

(3) The Court, after hearing the directors and other persons whom it considers entitled to be heard upon the petition, may sanction the arrangement if it is satisfied that no sufficient objection to the arrangement has been established.

(4) The Court shall not sanction the amalgamation or transfer in any case in which it appears to the Court that the life policy-holders representing one-tenth or more of the total amount assured in any company which it is proposed to amalgamate, or in any company the business of which it is proposed to transfer, dissent from the amalgamation or transfer. [30 (d).]

(5) No life assurance company shall amalgamate with another, or transfer its business to another, unless the amalgamation or transfer is sanctioned by the Court in accordance with this section.

Statements in case of amalgamation or transfer.

21. Where an amalgamation takes place between any life assurance companies, or where any life assurance business of one such company is transferred to another company, the combined company or the purchasing company, as the case may be, shall, within one month from the date of the completion of the amalgamation or transfer, deposit with the Governer General in Council— [14.]

(*a*) certified copies of statements of the assets and liabilities of the companies concerned in such amalgamation or transfer, together with a statement of the nature and terms of the amalgamation or transfer; and

(*b*) a certified copy of the agreement or deed under which the amalgamation or transfer is effected; and

(*c*) certified copies of the actuarial or other reports upon which that agreement or deed is founded; and

(*d*) a declaration under the hand of the chairman of each company, and the principal officer of each company, that to the best of their belief every payment made or to be made to any person whatsoever on account of the amalgamation or transfer is therein fully set forth, and that no other payments beyond those set forth have been made or are to be made either in money, policies, bonds, valuable securities or other property by or with the knowledge of any parties to the amalgamation or transfer.

Winding up.

[15.] 22. The Court may order the winding up of a life assurance company, in accordance with the Indian Companies Act, 1882, and the provisions of that Act shall apply accordingly, subject, however, to the modification that the company may be ordered to be wound up—

Special provisions as to winding up of assurance companies.

VI of 1882.

(*a*) on the petition of ten or more policy-holders.

Provided that such a petition shall not be presented except by the leave of the Court, and leave shall not be granted until a *primâ facie* case has been established to the satisfaction of the Court and until security for costs for such amount as the Court may think reasonable has been given; or

(*b*) on application made on behalf of the Governor General in Council, showing that from a consideration of the documents deposited with him under the provisions of this Act it appears to him that the company is insolvent. [16.]

Winding up of subsidiary companies.

23. *(1)* Where the life assurance business or any part of the life assurance business of a life assurance company has been transferred to another company under an arrangement in pursuance of which the first-mentioned company (in this section called the subsidiary company) or the creditors thereof has or have claims against the company to which such transfer was made (in this section called the principal company), then, if the principal company is being wound up by or under the supervision of the Court, the Court shall (subject as hereinafter mentioned) order the subsidiary company to be wound up in conjunction with the principal company, and may by the same or any subsequent order appoint the same person to be liquidator for the two companies, and make provision for such other matters as may seem to the Court necessary with a view to the

companies being wound up as if they were one company.

(*2*) The commencement of winding up of the principal company shall, save as otherwise ordered by the Court, be the commencement of the winding up of the subsidiary company.

(*3*) In adjusting the rights and liabilities of the members of the several companies between themselves, the Court shall have regard to the constitution of the companies, and to the arrangements entered into between the companies, in the same manner as the Court has regard to the rights and liabilities of different [classes of contributories in the case of the winding up of a single company, or as near thereto as circumstances admit.

(*4*) Where any company alleged to be subsidiary is not in process of being wound up at the same time as the principal company to which it is subsidiary, the Court shall not direct the subsidiary company to be wound up unless, after hearing all objections (if any) that may be urged by or on behalf of the company against its being wound up, the Court is of opinion that the company is subsidiary to the principal company, and that the winding up of the company in coujunction with the principal company is just and equitable.

(*5*) An application may be made in relation to the winding up of any subsidiary company in conjunction with a principal company by any creditor of, or person interested in, the principal or subsidiary company.

(*6*) Where a company stands in the relation of a principal company to one company, and in

the relation of a subsidiary company to some other company, or where there are several companies standing in the relation of subsidiary companies to one principal company, the Court may deal with any number of such companies together or in separate groups as it thinks most expedient, upon the principles laid down in this section.

Valuation of annuities and policies.

24. Where life assurance company is being wound up by the Court, or subject to the supervision of the Court, or voluntarily, the value of a policy or of a liability under a policy requiring to be valued in such winding up shall be estimated in manner applicable to policies and liabilities provided by the Sixth Schedule. [17) (1.]

Rules of valuation.

25. The rules in the Sixth Schedule shall be of the same force, and may be repealed, altered or amended, as if they were rules made in pursuance of section 254 of the Indian Companies Act, 1882, and rules may be made under that section for the purpose of carrying into effect the provisions of the Act with respect to the winding up of life assurance companies. [17 (2).] VI of 1882.

Power to Court to reduce contracts.

26. The Court, in the case of a life assurance company which has been proved to be unable to pay its debts, may, if it thinks fit reduce the amount of the contracts of the company upon such terms and subject to such conditions as it thinks just in place of making a winding up order. [18.]

Special Provisions relating to Accounts and Documents.

[20.] 27. The Governor General in Council may direct any documents deposited with him under this Act, or certified copies thereof, to be kept by the Registrar or by any other officer appointed in this behalf, and any such documents and copies thereof may be procured by any person on payment of such fees as the Governor General in Conncil may direct.

Custody and inspection of documents deposited with Governor General in Council.

[27.] 28. The Governor General in Council shall published annually in the Gazette of India the accounts, balance-sheets, abstracts, statements and other documents under this Act, or purporting to be under this Act, deposited with him during the preceding year, except reports on the affairs of life assuranee companies aubmitted to the shareholders or policy-holders thereof, and may append to such accounts, balance-sheets, abstracts, statements or other documents any note of the Governor General in Council thereon, and any correspondence in relation theretc.

Accounts, etc., to be published.

[21 (1).] 29. Every document deposited under this Act with the Governor General in Council, and certified by the registrar or by any person appointed in that behalf by the Governor General in Council to be a document so deposited, shall be deemed to be a document so deposited.

Evidence of documents.

Evidence of copies of documents.

30. Every document purporting to be certified by the Registrar, or by any person appointed in that behalf by the Governor General in Council, to be a copy of a document so deposited, shall be deemed to be a copy of that document, and shall be received in evidence as if it were the original document unless some variation between it and the original document be proved. [21 (2).]

Alteration of forms.

31. The Governor General in Council may, on the application or with the consent of a life assurance company, alter the forms contained in the Schedules to this Act as respects that company, for the purpose of adapting them to the circumstances of that company. [22.]

Companies carrying on business in United Kingdom.

Certain companies may apply to be declared companies which carry on life assurance business in the United Kingdom.

32. (1) An assurance company which carries on life assurance business in the United Kingdom in accordance with the Assurance Companies Act, 1909, may, if carrying on life assurance business in British India before the commencement of this Act, within three months of such commencement, or, any other case, before it commences to carry on life assurance business in British India, apply to the Governor General in Council for a declaration that it so carries on such business in the United Kingdom. 9, Edw, VII, cap. 49.

(2) A company applying under the provisions of sub-section (1) shall furnish, at the

time of its application or at such further time as the Governor General in Council may prescribe, such evidence as he may direct of the facts alleged in its application.

(3) Where the Governor General in Council is satisfied that a life assurance company applying as aforesaid is a life assurance company which carries on business in the United Kingdom in accordance with the Assurance Companies Act, 1909, he shall, by notification in the Gazette of India, make a declaration to that effect.

9, Edw. VII, cap. 49,

Application of the Act to companies which carry on life assurance business in the United Kingdom.

33. Where the Governor General in Council has notified a declaration in accordance with the provisions of section 32 in respect of a life assurance company, nothing in section 4, section 5, sections 7 to 12, sections 15, 20, 21 or 36 shall apply to the company:

Provided that—

(*1*) The company shall deposit with the Governor General in Council in the manner prescribed in section 11, copies of every account, balance-sheet, abstract, statement or other document which the company is required by the Assurance Companies Act, 1909, to deposit at the Board of Trade;

9, Edw. VII, cap. 49.

(*2*) if, at any time, a company in respect of which a declaration has been notified under section 32 ceases to carry on life assurance business in the United Kingdom in accordance with the provisions of the Assurance Com-

panies Act, 1909, it shall, if it continue to carry on life assurance business in British India, be subject to all the provisions of this Act from the date it ceased to carry on such business in the United Kingdom in accordance with the said Act. 9, Edw, VII, cap. 49.

Penalties. [23]

Penalty for non-compliance with Act

34. Any life assurance company which makes default in complying with any of the requirements of this Act, and every director, manager or secretary, or other officer or agent of the company who is knowingly a party to the default, shall be punishable with fine which may extend to one thousand rupees, or, in the case of a continuing default, with which may extend to five hundred rupees for every day during which the default continues; and if default continues for a period of three months after notice of default by the Governor General in Council (which notice shall be published in one or more newspapers as the Governor General in Council may, upon the application of one or more policy-holders or shareholders, direct), the default shall be a ground on which the Court may order the winding up of the company, in accordance with the Indian Companies Act, 1882. VI of 1882,

Penalty for falsifying statements, etc. [24.]

35. If any account, balance-sheet, abstract, statement or other document required by this Act is false in any particular to the knowledge of any person who signs it, such person shall be punishable with imprison-

ment for a term which may extend to two years, or with fine, or with both.

Miscellaneous.

Appointment of inspectors.

36. (*1*) The Governor General in Council may appoint one or more inspectors to examine into the affairs of any life assurance company and to report thereon in such manner as he may direct—

(i) in the case of a life assurance company which is not registered under the Indian Companies Act, 1882, upon the application of members being in number not less than one-fifth of the whole number of persons for the time being entered on this list of members kept in accordance with the provisions of section 16;

VI of 1882.

(ii) in any case where a life assurance company has failed to furnish a further statement when required to do so under the provisions of section 11, sub-section (2), or where the Governor General in Council is of opinion that any such further statement is insufficient or unsatisfactory.

(*2*) On an appointment being made under sub-section (1), the provisions of section 34 of the Indian Companies Act, 1882, shall apply to the examination made by such inspectors.

VI of 1882.

[26.]

Service of notices.

37. Any notice or other document which is by this Act, required to be sent to any policy-holder may be addressed and sent to the

person to whom notices respecting such policy are usually sent, and any notice so addressed and sent shall be deemed and taken to be notice to the holder of such policy :

Provided that where any person claiming to be interested in a policy has given to the company notice in writting of his interest, any notice which is by this Act required to be sent to policy-holders shall also be sent to such person at the address specified by him in his notice.

38. In section 131 of the Indian Companies Act, 1882, the words from "In the case of a life assurance company" to "unable to pay its debts" are hereby repealed. VI of 1882

Amendment of Act VI, 1882, section 131.

THE FIRST

(*See sec*

REVENUE ACCOUNTS OF THE _____

(A)—LIFE ASSUR

——	Business within British India.	Business out of British India.	Total.
	Rs.	Rs.	Rs.
Amount of life assurance fund at the beginning of the year.	———	———	
Premiums			
Consideration for annuities granted			
Interests, dividends and rents			
Rs.			
Less income-tax thereon ...			
Other receipts (accounts to be specified) ...			
Rs.			

NOTE 1.—Companies having separate accounts for annuities to the

NOTE 2.—Items in this account to be net amount after deduction of company's risks.

NOTE 3.—If any sum has been deducted from the expenses of asset, the sum so deducted to be separately shown

NOSE 3.—Particulars of the new life assurance effected during the separately, as respects business within and business the amount received by way of single premiums and net amounts after deduction of the amounts paid and

NOTE 5.—The columns headed "Business out of British India" in only to business secured through Branch Offices or

SCHEDULE.

tion 7.)

FOR THE YEAR ENDING _____

ANCE ACCOUNT.

—	Business within British India.	Business out of British India.	Total.
	Rs.	Rs.	Rs.
Claims under policies paid and outstanding—			
By death ...			
By maturity ...			
Surrenders, including surrenders of bonus ...			
Annuities ...			
Bonuses in cash ...			
Bonuses in reduction of premiums ...			
Commission ...			
Expenses of Management...			
Other payments (accounts to be specified) ...			
Amount of life assurance fund at the end of the year, as per Third Shedule.			
Rs.			

particulars of their annuity business in a separate statement.
the amounts paid and received in respect of re-assurances of the

management account, and taken credit for in the balance-sheet as an
in the above account.

year of account, to be appended to the above account, showing
out of British India, the number of policies, the total sums assured,
the amount of the yearly renewal premium income, the items to be
received in respect of re-assurances of the company's risks.

the case of companies having their head office in British India, apply
Agencies out of British India.

(B)—FIRE INSUR

	Rs.	Rs.
Amount of fire insurance fund at the beginning of the year—		
Revenue for unexpired risks ...		
Additional reserve (if any) ...		
Premiums ...		
	Rs.	
Interests, dividends and rents ...		
Less income-tax thereon ...		
Other receipts (accounts to be specified) ...		
	Rs.	

NOTE 1.—Items in this Account to be the net amounts after insurances of the company's risks.

NOTE 2.—If any sum has been deducted from the expenses of asset, the sum so deducted to be separately shown in

NOTE 3.—When marine or any other branch of business is carried in a separate account.

ANCE ACCOUNT

			Rs.
Claims under policies paid and outstanding ...			
Commission ...			
Expenses of management ...			
Contributions to fire brigades ...			
Other payments (accounts to be specified) ...			
Amount of fire insurance fund at the end of the year as per Third Schedule :—	Rs.		
Reserve for unexpired risks being per cent of premium income for the year ...			
Additional reserve (if any) ...			
		Rs.	

deduction of the amounts paid and received in respect of re-

management account, and taken credit for in the balance-sheet as an the above account.

on, the income and expenditure thereof to be in like manner stated

THE SECOND

(See sec

PROFIT AND LOSS ACCOUNT OF THE _____

	Rs.	Rs.
Balance of last year's account		
Interest and dividends not carried to other accounts		
Less income-tax thereon ...		
Profit realised (accounts to be specified)		
Other receipts (accounts to be specified)		
	Rs.	

SCHEDULE.

tion 7.)

FOR THE YEAR ENDING_____ 191 .

	Rs.
Dividends and bonuse to shareholders	
Expenses not charged to other accounts	
Loss realised (accounts to be specified)	
Other payments (accounts to be specified)	
Balance as per Third Schedule	
	Rs.

THE THIRD

(*See sec*

BALANCE SHEET OF THE _____

Liabilities.		—
	Rs.	Rs.
Shareholders' capital paid up (if any)		
Life assurance fund*		
Annuity fund*		
Fire insurance fund		
Marine insurance fund		
Profit and loss account		
Other funds (if any) to be specified		
Claims admitted or intimated† but not paid ...		
Life assurance		
Fire insurance		
	Rs.	

*Life companies having separate annuity fund to show

†These items are or have been included in the corresponding

SCHEDULE.

tion 7.)

ON THE _____ 19 .

Assets.	—
	Rs.
Mortgages on property within British India	
Do. do. out of British India	
Loans on parochial and other public rates	
Do. life interests	
Do. reversions	
Do. stocks and shares	
Do. company's policies within their surrender values...	
Do. personal security	
Investments--	
Deposit with the Comptroller General (securities to be specified)	
British Government securities	
Municipal and County securities, United Kingdom ...	
Indian and Colonial Government securities	
Ditto Provincial securities	
Ditto Municipal do.	
Foreign Government securities	
Do. Provincial securities	
Do. Municipal do.	
Railway and other debentures and debenture stocks— Indian and foreign	
Railway and other preference and guaranteed stocks ...	
Do. ordinary stocks	
Rent charges	
Rs.	

amount thereof separately.

items in the First Schedule.

THE THIRD

Liabilities.		—
	Rs.	Rs.
Brought over ...		
Annuities due and unpaid*		
Other sums owing by the company* (to be stated separately under each class of business.)		
	Rs.	

*These items are or have been included in the corresponding

NOTE 1.—When part of the assets of the company are specifically security to holders of life assurance policies there issued, specified.

NOTE 2.—A balance-sheet in the above form must be rendered in res-

NOTE 3.—The balance-sheet must state how the values of the Stock respecting valuation under the Fourth Schedule is made, the balance-sheet, to the effect that in their belief the value stated therein, less any investment reserve fund

NOTE 4.—In the case of a company required to keep separate funds under persons as signed the balance-sheet, and by the auditor, or indirectly for any purpose other than the class of

SCHEDULE. (*Contd.*)

Assets.		—
	Rs.	Rs.
Brought over ...		
Freehold ground rents		
Leasehold do.		
House property		
Life interests		
Reversions		
Agents' balances		
Outstanding premiums*		
Do. interests, dividends and rents*		
Interest accrued but not payable*		
Bills receivable		
Cash:—		
On deposit		
In hand and on current account		
Other assets (to be specified)		
	Rs.	

items in the First Schedule.

deposited, under local laws, in various places out of British India, as each such place and the amount compulsorily lodged therein must be

pect of each separate fund for which separate investments are made.

Exchange securities arrived at, and on the occasions when a statement a certificate must be appended, signed by the same persons as signed assets set forth in the balance-sheet are in the aggregate fully of the taken into account.

section 5 of this Act, a certificate must be appended, signed by the same to the effect that no part of any such fund has been applied, directly business to which it is applicable.

THE FOURTH SCHEDULE.

(See sections 8 and 9.)

Statement respecting the valuation of the Liabilities under life policies and annuities of the , to be made and signed by the Actuary.

(The answers should be numbered to accord with the numbers of the corresponding questions.)

1. The date up to which the valuation is made.

2. The general principles adopted in the valuation, and the method followed in the valuation of particular classes of assurances, including a statement of the method by which the net premiums have been arrived at, and whether these principles were determined by the instrument constituting the company or by its regulations or bye-laws, or how otherwise; together with a statement of the manner in which policies on under average lives are dealt with.

3. The table or tables of mortality used in the valuation. In cases where the tables employed are not published, specimen policy values are to be given, at the rate of interest employed in the valuation, in respect of whole-life assurance policies effected at the respective ages of 20, 30, 40, and 50, and having been respectively in force for 5 years, 10 years, and upwards at intervals of five years, respectively, with similar specimen policy values in respect of endowment assurance policies, according to age at entry, original term of policy and duration.

4. The rate or rates of interest assumed in the calculations.

5. The actual proportion of the annual premium income (if any), reserved as a provision for future expenses and profits, separately specified in respect of assurances with immediate profits, with deferred profits, and without profits. (If none, state how this provision is made.)

6. The consolidated revenue-account since the last valuation, or in case of a company which has made no valuation, since the commencement of the business. (This return should be made in the form annexed. No return under this heading will be required where a statement under this schedule is deposited annually.)

7. The liabilities of the company under life policies and annuities at the date of the valuation, showing the number of policies, the amount assured and the amount of premiums payable annually under each class of policies, both with and without participation in profits; and also the net liabilities and assets of the company with the amount of surplus or deficiency. (These returns to be made in the forms annexed.)

8. The principles upon which the distribution of profits among the share-holders and policy-holders is made, and whether these principles were determined by the instrument constituting the company or by its regulations or bye-laws, or how otherwise, and the number of years' premiums to be paid before a bonus (*a*) is allotted, and (*b*) vests.

9. The results of the valuation, showing —

(1) the total amount of profit made by the company, allocated as follows :—

(*a*) among the policy-holders with immediate participation, and the number and amount of the policies which participated;

(*b*) among policy-holders with deferred participation, and the number and amount of the policies which participated;

(*c*) among the shareholders;

(*d*) to reserve funds, or other accounts;

(*e*) carried forward unappropriated;

(2) specimens of bonuses allotted to whole-life assurance policies for Rs. 1,000 effected at the respective ages of 20, 30, 40 and 50, and having been respectively in force for 5 years, 10 years, and upwards at intervals of 5 years respectively, together with the amounts apportioned under the various modes in which the bonus might be received; with similar specimen bonuses and particulars in respect of endowment assurance policies, according to age at entry, original term of policy, and duration.

FOURTH SCHEDULE IN No. 6.

(FORM REFERRED TO UNDER HEADING

*Consolidated Revenue account of the*_____ *for*_____

		Rs.
Amount of life assurance fund at the beginning of the period		
Premiums		
Consideration for annuities granted		
	Rs.	
Interest, dividends and rents		
Other receipts (accounts to be specified) ...		
	Rs.	

NOTE.—If any sum has been deducted from the expenses of manage- sum so deducted to be separately shown in the above

No. 6 IN FOURTH SCHEDULE.)

*years commencing*_____*and ending*_____

		Rs.
Claims under policies paid and outstanding:—		
	Rs.	
By death		
By maturity		
Surrenders		
Annuities		
Bonuses in cash		
„ „ reduction of premiums		
Commission		
Expenses of management		
Other payments (accounts to be specified)		
Amount of life assurance fund at the end of the period as per Third Schedule		
	Rs. ...	

ment account and taken credit for in the balance-sheet as an asset, the statement.

(FORM REFERRED TO UNDER HEADING

Summary and valuation of the policies of

—	Particulars of the	
	Number of Policies.	Sums assured and bonuses.
ASSURANCES.		
I.—*With immediate participation in profits.*		
For whole term of life		
Other classes (to be specified)		
Extra premiums payable		
II.—*With deferred participation in profits.*		
For whole term of life		
Other classes (to be specified)		
Extra premiums payable		
Total assurances with profits		
III.—*Without participation in profits.*		
For whole term of life		
Other classes (to be specified)		
Extra premiums		
Total assurances without profits... ...		
Total assurances		
Deduct re-assurances (to be specified according to class in a separate statement).		
Net amount of assurances		
Adjustments, if any (to be separately specified)		
ANNUITIES ON LIVES.		
Immediate		
Other classes (to be specified)		
Total of the results		

NOTE 1.—The term "extra premium" in this Act shall be taken to premium. If policies are issued in or for any country mortality tables adopted by the company, separate

NOTE 2.—Separate returns and valuation results must be furnished in at different rates of interest, also for business at other

NOTE 3.—In cases also where separate valuations of any portion of the a summary statement must be furnished in respect of of policies, the total sums assured and bonuses, the total mortality and interest adopted in each such place, with a

NO. 7 IN FOURTH SCHEDULE).

*the*_____ *as at*_____ *19* .

POLICIES FOR VALUATION.		VALUATION.			
		Value by the Table, interest per cent.			
Office yearly premiums.	Net yearly premiums.	Sums assured and bonuses.	Office yearly premiums.	Net yearly premiums.	Net liability.

mean the charge for any risk not provided for in the minimum contract at rates of premium deduced from tables other than the European schedules similar in form to the above must be furnished.

respect of classes of policies valued by different tables of mortality, or than European rates.

business are required under local laws in places outside British India, the business so valued in each such place showing the total number office yearly premiums and the total net liability on the bases as to statement as to such bases respectively.

(FORM REFERRED TO UNDER HEADING

*Valuation Balance-Sheet of*_____

Dr.

	Rs.
To net liability under life assurance and annuity transactions (as per summary statement provided in Fourth Schedule).	
To surplus, if any	

NO. 7 IN FORTH SCHEDULE).

as at _____ *19* .

Cr.

	Rs.
By life assurance and annuity funds (as per Balance-sheet under Third Schedule)	
By deficiency, if any	

THE FIFTH SCHEDULE.

(See section 10.)

Statement of the Life Assurance and Annuity Business of the on the 19 , to be signed by the Actuary.

(The answers should be numbered to accord with the numbers of the corresponding questions. Statements of re-assurances corresponding to the statements in respect of assurances are to be given thought.) Separate statements are to be furnished in the replies to all the headings under this Schedule for business at other than European rates.

1. The published table or tables of premiums for assurances for the whole term of life and for endowment assurances which are in use at the date above-mentioned.

2. The total amount assured on lives for the whole term of life which are in existence at the date above-mentioned, distinguishing the portions assured with immediate profits, with deferred profits, and without profits, stating separately the total reversionary bonuses and specifying the sums assured for each year of life from the youngest to the oldest ages, the basis of division as to immediate and deferred profits being stated.

3. The amonnt of premiums receivable annually for each year of life, after deducting the abatements made by the application of bonuses in respect of the respective assurances mentioned under Heading No. 2, distinguishing ordinary from extra premiums. A separate statement is to be given of premiums payable for a limited number of years' payments remaining to be made.

4. The total amount assured under endowment assurances, specifying sums assured and office premiums separately in respect of each year in which such assurances will mature for payment. The reversionary bonuses must also be separately specified, and the sums assured with immediate profits, with deferred profits, and without profits separately returned.

5. The total amount assured under classes of assurance business, other than assurances dealt with under questions 2 and 4, distinguishing the sums assured under each class and stating separately the amount assured with immediate profits, with deferred profits, and without profits, and the total amount of reversionary bonuses.

6. The amount of premiums receivable annually in respect of each such special class of assurances mentioned under Heading No. 5, distinguishing ordinary from extra premiums.

7. The total amount of premiums which has been received from the commencement upon pure endowment policies which are in force at the date above-mentioned.

8. The total amount of immediate annuities on lives, distinguishing the amounts for each year of life, and distinguishing male and female lives.

9. The amount of all annuities on lives other than those specified under Heading No. 8, distinguishing the amount of annuities payable under each class, and the amount of premiums annually receivable.

10. The average rate of interest yielded by the assets, whether invested or uninvested, constituting the life assurance fund of the

company, calculated upon the mean fund of each year during the period since the last nvestigation without deduction of income-tax.

It must be stated whether or not the mean fund upon which the average rate of interest is calculated includes reversionary investments.

11. A table of minimum values, if any, allowed for the surrender of policies for the whole term of life and for endowments and endowment assurances, or a statement of the method pursued in calculating such surrender values, with instances of the application of such method to policies of different standing and taken out at various interval ages from the youngest to the oldest.

THE SIXTH SCHEDULE.

(See sections 24 and 25.)

Rules for valuing Annuties, Life Policies and Liabilities.

Rule for valuing an annuity.

An annuity shall be valued according to the tables used by the company which granted such annuity at the time of granting the same, and, where such tables cannot be ascertained or adopted to the satisfaction of the Court, then according to such rate of interest and table of mortality as the Court may direct.

Rule for valuing a policy.

The value of the policy is to be the difference between the present value of the reversion in the sum assured according to the contingency upon which it is payable, including any bonus or addition thereto made before the

commencement of the winding up, and the present value of the future annual premiums.

In calculating such present values interest is to be assumed at such rate, and the rate of mortality according to such tables, as the Court may direct.

The premium to be calculated is to be such premium as according to said rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

Rule for valuing a liability.

The liquidator, in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by such company, is to ascertain the value of the liability of the company to each such person, and give notice of such value to such persons in such manner as the Court may direct, and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute such value in manner and within a time to be prescribed by a rule or order of the Court.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to provide for the better control of Life Assurance Companies in India. Hitherto the operations of such Companies have been regulated by the Indian Companies Act, 1882 (VI of 1882).

It is considered that the provisions of the Indian Companies Act are insufficient for the proper control of Life Assurance Com-

panies in view of the growth of life assurance business in this country and that it is desirable to undertake legislation on the lines of the United Kingdom Life Assurance Law.

The draft Bill applies to all Life Assurance Companies operating in British India, whether established within or without British India, with the exception that Companies which carry on life assurance business in the United Kingdom in accordance with the Assurance Companies Act, 1909, are, on their obtaining a declaration from the Governor General in Council to this effect and on condition of their depositing with the Governor General in Council copies of the documents which they are required by the Assurance Companies Act, 1909, to deposit at the Board of Trade, exempted from the special provisions of this Bill relating to deposits, the furnishing of accounts and statements, the audit of accounts, amalgamation and transfer, and inspection.

The provisions of the Bill follow as closely as possible those of the Assurance Companies Act, 1909 (9 Edw. 7, c. 49), the only important deviations from the latter being—

(*a*) that no provision has been made for the regulation of insurance companies other than those undertaking life assurance, as it is considered that the conditions of insurance in India do not as yet call for such further legislation; and

(*b*) that the Governor General in Council has been empowered (1) to take the initiative in applying to the Court to order the winding up of a Company which appears to be insolvent, (2) to appoint inspectors in certain circumstances to examine into the affairs of a Life Assurance Company. In the United Kingdom, it rests with the public and the members of the Company to apply for the winding up of a company or the appointment of inspectors, but it is considered that more active measures on the part of Government are required for the protection of the less instructed public in India.

W. H. CLARKE.

SIMLA,
The 11th September 1911.

7th November, 1911.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER & BUREAU,
BOMBAY.

To

R. D. BELL, Esq., I.C.S.
UNDER SECRETARY TO THE GOVT. OF BOMBAY,
BOMBAY.

SIR,

By direction of the Committee of this Chamber I am to acknowledge the receipt of your letter of the 11th October 1911, bearing No. 9606 of 1911, and to give below the opinion of my Committee on the Bill to regulate the operations of Life Assurance Companies.

They heartily welcome such a Bill which was much needed to safe-guard the interests of policy-holders. The Committee are at the same time of opinion that something more than a deposit of a lakh of Rupees was essential to protect the interests of policy-holders, as against Foreign Companies. These should be required to deposit a legal reserve fund on the basis of $3\frac{1}{2}$ % with the Administrator General. All such securities so deposited must be subject to a first lien for the benefit of Indian policy-holders.

There is no mention made in the proposed Bill regarding the investment of funds. The Committee think that the Insurance Companies doing business in India should be required to invest their funds in securities recognised by the Trust Act.

Regarding Actuaries the Committee feel that some facilities should be provided for Indians to qualify themselves as actuaries. The Committee hope that a provision will be made for this in the

rules to be framed in this connection by the Governor General in Council.

I beg to remain,
Your most obedient servant,
J. K. MEHTA,
Secretary,

APPENDIX B.

Provident Societies Bill.

No. 9608 of 1911.

Revenue Department,
Bombay Castle, 11th October, 1911.

From

R. D. BELL, Esquire, I.C.S.
UNDER-SECRETARY TO THE GOVT. OF BOMBAY.

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

SIR,

I am directed to forward a copy of a Bill to provide for the regulation of Provident Insurance Societies, with the Statement of Objects and Reasons, and to request that you will favour Government with the opinion of the Chamber and Bureau on the Provisions of the Bill.

2. I am to request that the reply to this letter may be sent by the 5th November, 1911, at the latest.

I have the honour to be,
Sir,
Your most obedient servant
R. D. BELL,
Under-Secretary to Government.

A BILL TO

Provide for the regulation of Provident Insurance Societies.

WHEREAS it is expedient to provide for the regulation of Provident Insurance Societies; It is hereby enacted as follows :—

Preliminary.

Short title and extent.

1. (*1*) This Act may be called the Provident Insurance Societies Act, 191 ; and

(*2*) It extends to the whole of British India, inclusive of British Baluchistan, the Santhal Parganas and the Pargana of Spiti.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*1*) "Provident Insurance Society" means a society, company or institution, whether consisting of one or more persons, which receives premiums or contributions for insuring money to be paid on the birth, marriage or death of any person : and

(*2*) words and expressions which are defined in the Indian Life Assurance Companies Act, 191 , have the meanings respectively attributed to them by the said Act.

Application of Act.

3. Nothing in this Act shall apply to any Provident Insurance Society carrying on life assurance business which has a nominal share capital

exceeding twenty-five thousand rupees, or which pays or undertakes to pay on any life assurance policy an annuity exceeding one thousand rupees or a gross sum exceeding one thousand rupees, or which receives or undertakes to receive by way of premium or contribution for life assurance any sum exceeding five hundred rupees where the said premium or contributions are payable for one year or a limited number of years, or fifty rupees in any one year where the contributions are unlimited in number and terminable on death or the occurence of an uncertain event.

General.

Insurable interest,

4. No Provident Insurance Society shall receive any premium or contribution for insuring money to be paid on the death of any person other than the person paying such premium or the wife, husband, child, parent, brother or sister of such person.

Provision to be made by rules,

5. Every Provident Insurance Society shall by its rules—

(*a*) specify the object, name and registered office of the society ;

(*b*) provide that not less than a proportion specified in the rules of the amount annually received by the society in premiums or contributions shall be paid in benefits to the members of the society ;

(*c*) provide for any other matters which the Local Government may prescribe ; and

(*d*) in the case of a Provident Insurance Society which by rule or practice divides any part of the funds thereof, provide, before any such division takes place— [*Cf.* section 15, Friendly Societies Act, 1896, and Sch. I (9) of that Act,]

(i) for the payment of all debts due by the society existing at the time of division; and

(ii) for the payment to every policy-holder or contributor of the society whose claim matures within the period for which divison is made of a sum not less than the total amount of the premiums or contributions received by it from such policy-holder or contributor, during such period.

Registration of Provident Insurance Societies.

6. (*1*) Every Provident Insurance Society shall, within three months from the commencement of this Act, or, if established after the commencement of this Act, before it receives any premium or contribution, apply to the Registrar for registration under this Act, and shall deliver to him a copy of the rules of the society.

(*2*) The Registrar shall on being satisfied that such rules comply with the provisions of this Act, acknowledge the receipt of the rules and register the society.

(*3*) If the Registrar is not satisfied that the rules or any of them comply with the provisions of this Act, he shall send to the Provident Insurance Society a notice by post stating in what respect such rule or rules is or are not in accordance with the provisions of

this Act and calling upon such society to deliver to him an amended rule or rules within sixty days.

(*4*) On receipt of a notice under sub-section (3) the Provident Insurance Society shall within sixty days deliver to the Registrar an amended rule or rules in conformity with this Act, and the Registrar shall thereupon acknowledge the receipt of the rules and register the society as hereinbefore provided.

Failure to register

7. (*1*) No Provident Insurance Society established before the commencement of this Act shall receive any premium or contribution after the expiration of the following periods, namely:—

(*a*) if the society has failed to apply for registration in accordance with the provisions of section 6, sub-section (*1*), after the expiration of three months from the commencement of this Act;

(*b*) if the society, having applied for registration as aforesaid, has failed to deliver to the Registrar amended rules in accordance with a notice under section 6, sub-section (*3*), after the expiration of sixty days from the receipt of such notice.

(*2*) No Provident Insurance Society estabt lished after the commencement of this Acshall receive any premium or contribution until it is duly registered in accordance with the provisions of this Act.

Amendment of rules.

8. (*1*) No amendment of any rule of a Provident Insurance Society shall be valid until the same has been registered under this Act, for which purpose a copy of the amended rule shall be sent to the Registrar.

(*2*) The Registrar shall, on being satisfied that any amendment of a rule is not contrary to the previsions of this Act, issue to the society an acknowledgement of the registration of the same.

Right to supply of copies of rules.

9. Every Provident Insurance Society shall, on demand, deliver free of cost to any member of the society a copy of the rules of the society, and to any person other than a member a copy of such rules on the payment of a sum not exceeding one rupee.

Register of members and policy-holders.

10. Every Provident Insurance Society which is not registered under the Indian Companies Act, 1882, shall cause to be kept a register of its members and policy-holders, in which the particulars specified in section 47 of the said Act shall be entered. VI of 1882.

Office.

11. Every Provident Insurance Society which is not rgistered under the Indian Companies Act, 1882, shall have an office to which all communications and notices may be addressed, and shall give notice to the Registrar of the situation of such office and of any change therein. VI of 1882.

Revnue-account and balance-sheet.

12. Every Provident Insurance Society shall, at the expiration of each financial year, prepare a revenue-account and balance sheet in such forms and verified in such manner as the Local Government may prescribe, and shall cause them to be audited by an auditor who shall possess such qualifications as the qualifications as the Loeal Government may prescribe.

Delivery and publication of revenue-accounts etc.

13. Every Provident Insurance Society shall, within six months of the expiration of each financial year, deliver to the Registrar the revenue-account and balance-sheet prescribed by section 12, and shall publish them in such manner as the Local Government may direct.

Inspection of accounts.

14. The books of every Provident Insurance Society shall at all reasonable hours be open to inspection by the Registrar or by any person appointed by him in this behalf or by any member of the society.

Power to inquire into solvency, etc., of society.

15. (*1*) If the Registrar is of opinion that there is ground for an inquiry—

(*a*) whether any Provident Insurance is solvent, or

(*b*) whether the business of any such society is conducted fraudulently or not in accordance with the rules thereof,

he may direct an inquiry to be held by an actuary, appointed by him in this behalf, as to the solvency of such society or as to the manner in which the business of such society is conducted.

(2) An actuary appointed under sub-section (1) shall have access to all the books, deeds, documents and accounts of the society and shall have power to call upon the society to furnish such statements as to its business and such other information as he may direct.

(3) The result of any such inquiry shall be reported to the Registrar.

(4) The Registrar may, if he thinks fit, direct that the whole or any part of the expenses of and incidental to any such inquiry by actuary shall be defrayed out of the funds of the society or by the members or officers of the society in such proportion as he may determine.

Power to dissolve.

16. Where the Registrar, after considering the report of an actuary appointed under section 15, is of opinion that any Provident Insurance Society, taking into accounts its prospective liabilities, is insolvent or that the business of such society is conducted fraudulently or not in accordance with the rules thereof, he may direct that the society shall be dissolved.

Liquidators.

17. (1) Where a society is dissolved in accordance with the provisions of section 16, the Registrar may appoint a competent person to be liquidator for the society. [*Cf.* s. 24 Act X of 1904.]

(2) A liquidator appointed under sub-section (1) shall have power to institute or defend any

legal proceedings on behalf of the society by his name of office and shall also have power—

(*a*) to use for and recover any sums of money due to the society at the date of its disolution ;

(*b*) to determine the contribution to be made by members of the society, respectively, to the assets of the society ;

(*c*) to investigate all claims against the society and to decide questions of priority arising between claimants ;

(*d*) to determine by what persons and in what proportions the costs of the liquidation are to be borne ; and

(*e*) to give such directions in regard to the collection and distribution of the assets of the society as may appear to him to be necessary for winding up the affairs of the society.

(*3*) Subject to any rules of procedure made under this Act, a liquidator appointed under this section shall, in so far as such powers are necessary to carry out the purposes of this section, have power to summon and enforce the attendance of witnesses and to compel the production of documents by the same means and as far as may be in the same manner as is provided in the case of a Civil Court by the Code of Civil Procedure, 1908,

V of 1908.

(*4*) Orders made under this section shall be final and conclusive and may be enforced by any Civil Court having local jurisdiction in the same manner as a decree.

Penalties.

Penalty for non-compliance with Act.

18. Any Provident Insurance Society which makes default in complying with any of the requirements of this Act, and every director, manager or secretary, or other officer or agent of the society, who is knowingly a party to the default shall be punishable with fine which may extend to fivehuudred rupees, or, in the case of a continning default, with fine which may extend to two hundred and fifty rupees for every day during which the default cuntinues.

Penalty for falsifying documents

19. If any register, account, balance-sheet or other document required by this Act is false in any particular to the knowledge of any person who signs it, such person shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Rules

Rules

20. (*1*) The Local Government may make rules to carry out the purposes of this Act.

(*2*) In particular and without prejudice to the generalty if the foregoing power, such rules may—

(*a*) prescribe the matters in respect of which a society shall make rules;

(*b*) prescribe the form of any account or return required by this Act, and the manner in which any such account or return shall be verified;

(*c*) prescribe the qualifications of auditors under this Act;

(*d*) prescribe the manner in which any document required to be published by this Act shall be published; and

(*e*) prescribe the procedure to be followed by liquidators under this Act.

(*3*) The power to make rules conferred by this Act is subject to the condition of the rules being made after previous publication.

(*4*) All rules made under this Act shall be published in the local official Gazette, and on such publication shall have effect as if enacted therein.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to provide for the better control of Provident Insurance Societes, that is, societies, not being Life Assurance Companies proper, which undertake insurances on births marriages or deaths.

The attention of the Government of India has, from time to time, been drawn to the existence of large numbers of such societies in different parts of India, and to the unsound business methods employed by them. In 1898, the advisability of undertaking special, legislation, with reference to the societies then existing in considerable, numbers in Bengal and Bombay, was taken into consideration; but after consultation with the Local Governments concerned, it was decided to defer legislation until the true nature of the movement had declared itself more clearly and until the effect of a more strict enforcement of the provisions of the Indian Companies Act could be determined. The number of societies in Bengal and Bombay has since then greatly decreased; but a large number have in more recent years come into existence in Madras, and the Government of Madras have made a representation on the subject which established clearly the fact that the provisions of the Indian Companies Act are in-

sufficient to control the undesirable tendencies of the movement. It has accordingly been decided that legislation to control these societies should now be undertaken, and this Bill has been framed accordingly.

The main provisions of the present Bill are designed to secure (1) that all societies of the nature of those defined in the Bill shall be registered; (2) that full publicity shall be given to the proceedings of the societies; and (3) that Local Governments and Administrations shall be empowered to deal effectively with societies which are demonstrably fraudulent or insolvent. These measures, while controlling the operations of societies working on unsound principles, will not, it is believed, interfere with the development of Provident Societies of a useful character.

W. H. CLARK.

The 15th September 1911.

7th November, 1911.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER & BUREAU,
BOMBAY.

To

R. D. BELL, Esq., I.C.S.
UNDER-SECRETARY TO THE GOVT. OF BOMBAY,
BOMBAY.

SIR,

I am directed to acknowledge the receipt of your letter of the 11th October, 1911, bearing No. 9608 of 1911, and to give below the opinion of my Committee.

The Committee are glad that the Government have proceeded to take steps to prevent the mischief which Provident Insurance Societies conducted in an unsystematic manner were doing. They accord their hearty support to the Bill but they may be permitted to draw the attention of the Government to section 15 wherein a distinction seems to have been made between the Society and its

members. This is rather vague and my Committee think that it might be made clear.

The Committee also think that the absolute powers of the Registrar to dissolve a Society should be curtailed and that this can be done by subjecting the decision of the Registrar to an appeal to the Local Government.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary.

APPENDIX F.

Post-Office Act.

No. 3252 of 1911.

Financial Department,

Bombay Castle, 12th October, 1911

From

R. D. BELL, Esquire, I.C.S.
UNEER-SECRETARY TO THE GOVT. OF BOMBAY.

To

THE CHAIRMAN,
INDIAN MERCHANTS' CHAMBER AND BUREAU.

SIR,

I am directed to forward herewith a copy of a Bill to further amend the Indian Post Office Act, 1898, with Statement of Objects and Reasons, and to request that you will favour Government with the opinion of the Chamber, on the provisions of the Bill not later than 10th November, 1911.

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL,
Under-Secretary to Government.

A BILL,

Further to amend the Indian Post Office Act, 1898.

WHEREAS it is expedient further to amend the Indian Post Office Act, 1898, It is hereby enacted as follows :—

Short title.

1. This Act may be called the Indian Post Office (Amendment) Act, 191 .

Repeal of portions of section 7 and the First Schedule of Act, VI of 1898.

2. The proviso to sub-section (*1*), and sub-section (*2*), of section 7, and the First Schedule of the Indian Post Office Act, 1898, are hereby repealed.

Substitution of new sub-sections (1) and (2) in section 21 of same Act.

3. For sub-sections (*1*) and (*2*) of section 21 of the said Act, the following sub-sections shall be substituted namely :—

"*21.* (*1*) The Governor General in Council may make rules as to the transmission of articles by post.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may—

a. specify articles which may be transmitted by post;

b. prescribe conditions on which articles may be transmitted by post;

c. provide for the detention and disposal of articles in course of transmission by post in contravention of rules made under clause (*a*) or clause (*b*);

d. provide for the granting receipts for, and the granting and obtaining certificates of, posting and delivery of postal articles and the sums to be paid, in addition to any other postage, for such receipts and certificates;

e. regulate covers, forms, demensions, maximum weights, and enclosures, and the use of postal articles, other than letters, for making communications; and

f. prescribe the fees to be charged for inqniries into complaints regarding the disposal of postal articles.'

Ammendment of section 23 of same Act.

4. (*1*) In section 23, sub-section (*2*), of the said Act, after the words "in contravention of" the words and figures "section 20, clause (*a*), or of" shall be inserted.

(*2*) In sub-section (*3*) of the same section of the said Act, for clause (*b*) the following shall be substituted, namely:—

"(*b*) any postal article sent by post in contravention of the provisions of section 20 may be disposed of in such manner as the Governor-General in Council may by rule direct."

Ammendment of section 24 of same Act.

5. In section 24 of the said Act, for the words "Where a postal article, suspected to contain any contraband goods" the words "Except as otherwise provided in this Act, where a postal article suspected to contain any goods of which the import by post

or the transmission by post or the transmission by post is prohibited by or under any enactment for the time being in force", shall be substituted.

Amendment of and addition to section 5 of same Act.

6. In section 25 of the said Act, for the words "all such goods found" the words "all postal articles reasonably believed or found to contain such goods" shall be substituted, and of the same section the following shall be added, namely :—

"In carrying out any such search, such officer of the Post Office may open or unfasten, or cause to be opened or unfastened, any newspaper or any book, pattern or sample packet in course of transmission by post."

Amendment of section 26 (1) of same Act.

7. In section 26 sub-section (*1*), of the said Act, for the words "shall be delivered to the Government or to an officer thereto mentioned in the order, to be disposed of in such manner as the Governor General in Council may direct", the following shall be substituted, namely :—

"shall be disposed of in such manner as the authority issuing the order may direct."

Amendment of section 35 of same Act.

8. (*1*) In section 35, sub-section (*2*), of the said Act, at the end of clause (*c*) the word "and" shall be omitted, and after clause (*d*) the following shall be added, namely :—

"and

(*e*) provide for the retention and repayment to the addressee in cases of fraud

of money recovered on the delivery of any value-payable postal article."

(*2*) After sub-section (*3*) of the same section the following shall be added, namely:—

"(*4*) No suit or other legal proceeding shall be instituted against the Secretary of State for India in Council or any office in respect of anything done, or in good faith purporting to be done, under any rule made under clause (*e*) of sub-section (*2*)."

Addition to section 48 of same Act.

9. To section 48 of the said Act the following shall be added namely:—

"or

(*e*) any wrong payment or delay in payment of a money order beyond the limits of British India by an officer of any post office, not being one established by the Governor General in Council,"

STATEMENT OF OBJECTS AND REASONS.

Experience has shown that the existing Post Office Act, which was enacted in 1898, fails in certain respects to give adequate poweres, to the postal authorities to deal with articles posted in contravention of the Act. The present Bill is designed to give such further powers as are required, and at the same time to remove certain obscurities and to remedy such minor defects as have been found to exist. An explanation of the several amendments which it is proposed to make is given in the subjoined *Notes on Clauses*.

Notes on Clauses.

Clause 2.—There are certain isolated localities where the cost of carrying the parcel traffic very considerably exceeds the receipts from such traffic. The object of the amendment is to enable the Post Office to increase rates on parcels in such particular localities, where it is found that the maximum rates allowed under the existing Act are unremunerative. The English Post Office Act fixes no maximum rates for the parcel post. It is considered that the object in view can most simply be attained by erasing the proviso to sub-section (*1*) of section 7. A corollary to this is the erasure of sub-section (*2*) of section 7 and of the First Schedule.

Clause 3.— It is considered advisable to provide for the issue of rules to prohibit the transmission by post of circulars relating to lotteries, and to prohibit or restrict the transmission by post of coin bullion or any other articles of a specified description. At present there is no prohibition of the transmission of circulars relating to lotteries, although the publication of such circulars is an offence under section 294-A of the Indian Penal Code. The transmission of gold coin or bullion is limited by executive orders, but it is desired to provide expressly for the issue of rules to cover such cases. These objects will be attained by the addition of the new sub-clauses (*a*), (*b*) and (*c*) to sub-section (*2*) of section 21 of the existing Act.

The addition of sub-clause (*f*) has been made in order to make it possible to provide by rule for the imposition of a fee for an enquiry regarding the disposal of a postal article of any class. It has been found that a great deal of labour and trouble is caused to post offices and audit offices by the investigation of complaints relating to unregistered value payable articles, a large majority of which ultimately prove to be groundless. In the British Post Office an enquisy fee of *2d.* is charged for each enquiry into the alleged loss or non-delivery of a registered article, on the condition that the fee will be refunded if it is found that the Post Office has been in fault. It is considered advisable to adopt a similar procedure in India with regard to value-payable articles, but the amendment has been so worded as to enable the principle of enquiry fee to be extended, if necessary, to postal articles of any class.

Clause 4.—The amendment of section 23 (*2*) so as to allow the opening of any newspaper, book, pattern or sample packet suspected to have been sent in contravention of section 20 (*a*) of the Act is necessary to render the prohibitions laid down under section 20 effective. The necessity for this amendment arose from the powerlessness of the Post Office to stop the circulation of an extremely indecent pamphlet recently published, inasmuch as the Act does not allow the postal authorities to open any article suspected to have been sent in contravention of section 20. In the United Kingdom the Post Office has the power to open any postal article to ascertain whether it contains indecent matter, but it is considered that in India the opening of newspapers and book, pattern or sample packets only should be permitted for this purpose. Letters and parcels will not be affected.

The provisions of section 23 (*3*) (*b*) of the existing Act are not satisfatcory. Under them the Post Master General is constituted the authority which shall decide whether an article is or is not indecent or or obscene, or whether words written thereon are or are not seditious It is considered advisable to relieve the postal authorities of this responsibility, and to substitute a provision enabling the Governor General in Council to make rules for the treatment of articles which are considered by the postal authorities to have been sent in contravention of section 20

Clause 5.—The absence of any definition of "contraband goods" in the existing Act has been repeatedly felt, and it is proposed to substitute a defining phrase, making it clear that the provisions of of section 24 are applicable to goods of which the import or transmission by post has been prohibited under the Excise, Opium or other laws.

Clause 6.—This clause makes an addition to section 25 of the Act to make it clear that the power to search conferred by that section includes the power to open or unfasten any newspaper or any book, pattern or sample packet in course of transmission by post suspected to contain goods of any specified description, with respect to which a notification has been published under section 19 of the Sea Customs

Act, 1878. The present law leaves it doubtful whether the power to search includes the power to open, although it has indeed been held to include the power to open any postal article. It is desirable to make the law definite on this point, and at the same to limit the power to open specifically to newspapers, book, pattern or sample packets. The power will not extend to letters and parcels, although the postal authorities will have to hand over unopened to the Customs authorities postal articles which they are not permitted to open, but which they have good reason to believe to contain prohibited goods. A further defect in the existing law is that it empowers the postal authorities to deliver to such officer as the Governor General in Council may appoint only the goods found and not the postal articles containing the goods.

Clause 7.—This clause amends the words of section 26 (*l*) by providing that the order for the disposal of intercepted articles should be passed by the authority sanctioning their interception. At present while a Local Government or an officer specially authorised in this behalf by the Governor General in Council can order the interception of a postal article, the directions as to its disposal have to be issued by the Governor General in Council. This procedure is cumbrous and unnecessary, and it is considered that the Local Government or the officer empowered to intercept postal articles should be authorised to dispose of them.

Clause 8.—As the law stands, it is illegal to withhold from the sender of a value-payable article payment of the money received from the addressee, even if the article may have obviously been sent to defraud the addressee. It is necessary that there should be some provision enabling the Post Office to withhold payment in such cases, and the object of the amendments introduced by clause 9 is to enable the Governor General in Council to make rules authorising a Post Master General—

(1) to withhold the payment to the sender of a value-payable article of the money received from the addressee, if the latter complains, immediately on receipt, that the article was sent fraudulently, and if there are good grounds for believing such cnmplaint to be justified, and

(2) to order the return of the value-payable article to the sender and the refund to the addressee of the money received from him, if the Post Master General is fully satisfied, after enquiry has been made, that the article was fraudulently sent.

Clause 9.—The object of this clause is to exempt the Secretary of State from liability in case of wrong payment, or delay in payment beyond the limits of British India of a money order issued by the Post Office of India. The necessity for the amendment has been established by a recent judgment against the Secretary of State in a case where it was admitted that payment had been made to the wrong person through no fault of the Indian Post Office but owing to a want of care and caution on the part of a foreign Post Office.

W. H. CLARK.

The 14th September 1911.

Bombay, 13th November 1911.

From

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To

B. D. BELL, Esq., I.C.S.
UNDER-SECRETARY TO THE GOVERNMENT OF BOMBAY,
BOMBAY.

SIR,

By direction of the Committee of this Chamber I am to acknowledge the receipt of your letter of the 12th October 1911, bearing No. 3252 of 1911, and to give below their opinion on the Bill to further amend the Indian Post Office Act, 1898. The Committee beg to suggest that all the packets opened by the Postal authorities under Section 23, Subsection 2, should bear some sort of postal stamp to

indicate that they were opened by them in the discharge of their duties when there were reasonable grounds for so doing and not by any *mala fide* persons

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary.

APPENDIX G.

Indian Stamp Act

No. 9744 of 1911.

Revenue Department.

Bombay Castle, 16th October 1911.

From

R. D, BELL, Esquire, I. C. S.,
UNDER-SECRETARY TO THE GOVERNMENT OF BOMBAY;

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

Sir,

I am directed to forward copy of a Bill further to amend the Indian Stamp Act, 1899, with the Statement of Objects and Reasons, and to request that you will favour Government with the opinion of the Chamber and Bureau on the provisions of the Bill.

2. I am to request that the reply to this letter may be sent by the 20th November 1911 at the latest.

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL, Esquire, I. C. S.,
Under-Secretary to Government.

A BILL

Further to amend the Indian Stamp Act, 1899.

II of 1899. Whereas it is expedient further to amend the Indian Stamp Act, 1899; It is hereby enacted as follows:—

short title. 1. This Act may be called the Indian Stamp (Amendment) Act, 1911.

VI of 1910 2. In article No. 18 of Schedule I of the Indian Stamp Act, 1899 (hereinafter referred to as the said Act), as amended by the Indian Stamp (Amendment) Act, 1910, for clause (*b*) the following shall be substituted, namely:—

Amendment of Act 11. 1899, shedule 1. as amended by Act VI, 1910.

—				If drawn singly.			If drawn in set of two for each part of the set.			If drawn in set of three for each part of the set.		
(*b*) where payable otherwise than on demand, but not more than one year after date or sight—			Rs.	*Rs.*	*a.*	*p.*	*Rs.*	*a.*	*p.*	*Rs.*	*a.*	*p.*
if the amount of the bill or note does not exceed.			200	0	5	0	0	2	0	0	1	0
if it exceeds Rs. 200 and does not exceed			400	0	6	0	0	3	0	0	2	0
Ditto	400	ditto	600	0	9	0	0	5	0	0	3	0
Ditto	600	ditto	1,000	0	15	0	0	8	0	0	5	0
Ditto	1,000	ditto	1,200	1	2	0	0	9	0	0	6	0
Ditto	1,200	ditto	1,600	1	8	0	0	12	0	0	8	0
Ditto	1,600	ditto	2,500	2	4	0	1	2	2	0	12	0
Ditto	2,500	ditto	5,000	4	8	0	2	4	0	1	8	0
Ditto	5,000	ditto	7,500	6	12	0	3	6	0	2	4	0
Ditto	7,500	ditto	10,000	9	0	0	4	8	0	3	0	0
Ditto	10,000	ditto	15,000	13	8	0	6	12	0	4	8	0
Ditto	15,000	ditto	20,000	18	0	0	9	0	0	6	0	0
Ditto	20,000	ditto	25,000	22	8	0	11	4	0	7	8	0
Ditto	25,000	ditto	30,000	27	0	0	13	8	0	9	0	0
and for every additional Rs. 10,000 or part thereof in excess of Rs. 30,000.				9	0	0	4	8	0	3	0	0

3. In section 23A, sub-section (*1*), of the said Act, for the words and figure "Article No. 5 (*c*)" the words and figure "Article No. 5 (*c*)" shall be substituded.

Amendment of Act II, 1899, section 23A.

STATEMENT OF OBJECTS AND REASONS.

By the Indian Stamp (Amendment) Act, 1910 (VI of 1910), the rates of stamp duty on bills of exchange were raised very considerably in the case of bills exceeding Rs. 1,000. In the case of bills from Rs. 600 to 1,000, the increase was much smaller; while the old rates of duty were retained on bills not exceeding Rs. 600, in order to exempt petty transactions from the enhancement of duty. This concession has, however, produced unexpected results; advantage having been taken of it, in the case of big transactions, to escape the higher rates of duty by drawing a number of small bills instead of a single instrument. There can be no question that considerable revenue has thus been lost which it was intended to secure for Government by the amending Act of 1910. Inconvenience has also been caused, by a quite unnecessary increase of work, to the banks and private firms which have large dealings in bills of exchange The Presidency Banks and the Chambers of Commerce favour the withdrawal of the concession. The Bill accordingly proposes to raise the duty on bills of exchange for amounts not exceeding Rs. 1,000 in the same ratio as the enhancement which was effected in the case of bills for amounts exceeding Rs. 1,000 by the amending Act of 1910.

2. Clause 3 of the Bill is intended to rectify a verbal error by substituting a reference to Article 5 (*c*) for the reference to Article 5 (*b*) in Section 23 A (*1*) of the Indian Stamp Act, 1899, as the sub-article 5 (*b*) of Schedule I of the Act has become sub-article 5 (*c*) through the passing of the Indian Stamp (Amendment) Act, 1910.

GUY FLEETWOOD WILSON.

20th September 1911.

Bombay' 13th November 1911.

From
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To
R. D. BELL, Esq, I. C. S.
UNDER-SECRETARY TO THE GOVERNMENT OF BOMBAY,
BOMBAY.

Sir,

By direction of the Committee of this Chamber I am to acknowledge the receipt of the 18th October 1911, bearing No. 9744 of 1911, and to give the opinion of the Committee below, on the Bill further to amend the Indian Stamp Act, 1899. They see no reason to object to the amendment suggested, as there is no other way to prevent the evil complained of, though they may say that the amendment will work heavily upon small traders and merchants.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary.

APPENDIX H.

The White Phosphorus Matches Bill

No. 6362 of 1911.

General Department.
Bombay Castle, 30th October, 1911.

To
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

Sir,

I am directed by the Governor in Council to forward a copy of a Bill to prohibit the importation, manufacture and sale of matches

with white phosphorus, with the Statement of Objects and Reasons, and to request that Government may be favoured with the opinion of the Indian Merchants' Chamber and Bureau, on the Provisions of the Bill by the 15th November 1911.

I have the honour to be,
Sir,
Your most obedient servant,
J. M. ANTIA.
For Secretary to Government.

Acts and Regulations.—

White Phrosphorus Matches Prohibition Bill.

General Department. Bombay Castle,

No. 6361 30th October 1911.

Letter from the Government of India, Legislative Department No. 2503 dated 25th August 1911 :—

"I am directed to forward herewith six copies of the papers noted on the margin, and to request that they may be published in the *Bombay Government Gazette* in English and that the date of such publication may be communicated to this department."

Notification by the Government of India in the Legislative Department, No. 29, dated the 23rd August 1911, with the White Phosphorus Matches Prohibition Bill, 1911, and statement of Objects and Reasons.

Memorandum from the Legal Department, No. 620, dated 30th August 1911.

Memorandum to the Commissioner in Sind, No. 5397, dated 7th September 1911.

Memorandum from the Commissioner in Sind, No. 1540, dated 20th September 1911.

Letter to the Government of India, Legislative Department, No. 5727, dated 26th September 1911 :—

"With reference to your letter No. 2503, dated the 25th August 1911, I am directed to state that the notification by the Government of India in the Legislative Department, No. 29, dated the 23rd August 1911, with the White Phosphorus Matches Prohibition Bill, 1911, and statement of Objects and Reasons was published in English at pages 98-99 of the *Bombay Government Gazette*, Part V, dated the 31st August 1911, and in the *Sind Official Gazette* at page 188, Part III, dated the 7th September 1911."

Letter from the Government of India, Legislative Department, No. 3036, dated 4th October 1911 :—

"In continuation of my letter No. 2503, dated the 25th August 1911, I am directed to request that the Governor in Council will favour the Government of India in this Department with an expression of his opinion on the provisions of the White Phosphorus Matches Prohibition Bill, 1911, and with the opinions of the Honourable the Judges of the High Court and of such selected officers and other persons as the Governor in Council may think fit to consult on the subject.

"2. The reply to this letter should be sent in by the 1st December 1911."

Memorandum from the Legal Department, No.727, dated 10th October 1911.

RESOLUTION.—Copies of the letter from the Government of India, No. 3036, dated the 4th October 1911, and of the Bill to prohibit the importation, manufacture and sale of matches made with white phosphorus and the statement of Objects and Reasons should be forwarded to the Honourable the Chief Justice and Judges of His Majesty's High Court of Judicature in Bombay, the Commissioner of Customs, the Commissioner in Sind, the Commissioners of Divisions, the Collector of Bombay, the Solicitor to Government, the Remembrancer of Legal Affairs and the Chamber of Commerce, the Indian Merchants' Chamber and Bureau and the Trades Association, Bombay, or favour of their opinion on the provisions of the Bill.

2. The Commissioner in Sind should be requested to favour Government with the opinion of the Chamber of Commerce at Karachi.

3. The officers named above should be requested to submit their replies at the latest by the 15th November next.

L. ROBERTSON,
Secretary to Government.

To

The Commissioner in Sind, The Commissioner, N. D., The Commissioner, C. D., The Commissioner, S. D., The Commissioner of Customs, Salt, Opium and Abkari, The Solicitor to Government, The Remembrancer of Legal Affairs, The Collector of Bombay, The Collector of Customs, Bombay, The Chief Collector of Customs in Sind, The Revenue Department, The Legal Department,	With copies of the Bill and the statement of Objects and Reasons.
The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay, The Chamber of Commerce, Bombay, The Indian Merchants' Chamber and Bureau, Bombay, The Trades Association, Bombay,	By letter.

No of 1911.

Copy forwarded for information and guidance to

133672

A BILL TO

Prohibit the importation, manufacture and sale of matches made with white phosphorus.

Whereas it is expedient to prohibit the importation, manufacture and sale of matches made with white phosphorus; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the White Phosphorus Matches Prohibition Act, 1911.

(2) It extends to the whole of British India and

(3) It shall come into force on the first day of January 1913, with the exception of section 6 which shall come into force on the first day of January 1914.

Definition.

2. In this Act, "phosphorus" means the substance commonly known as white or yellow phosphorus.

Prohibition of importation by addition to section 18, Act VIII of 1878.

3. To section 18 of the Sea Customs Act, 1878, the following clause shall be added, namely :—

"(*g*) matches made with white phosphorus."

Prohibition of use of white phosphorus in manufacture of matches.

4. (1) No person shall use white phosphorus in the manufacture of matches.

(2) Any person who uses, or permits the use by any person under his comtrol of white

phosphorus in the manufacture of matches, shall be punishable with fine which may extend to two hundred rupees.

Power of Inspector of Factories to take samples of material used in manufacture.

5. (1) Every person who manufactures matches shall allow an Inspector of Factories appointed under the Indian Factories Act, 1911, at any time to take for analysis sufficient samples of any material in use, or mixed for use in such manufacture :

Provided that any such person may at the time the sample is taken, and on providing the necessary appliances, require the Inspector to divides the sample so taken into two parts, and to marke seal and deliver to him one part.

(2) Any person who refuses to permit any such Inspector of Factories as aforesaid to take a sample in accordance with the provisions of sub-section (1) shall be punishable with fine which may extend to two hundred rupees.

Prohibition of sale.

6. (1) No person shall sell, or offer or expose for sale, or have in his possession for the purposes of sale, any matches made with white phosphorus.

(2) Any person who contravenes the provisions of sub-section (1) may, on complaint to a Magistrate, be ordered to forfeit any such matches in his possession, and any matches so forfeited shall be destroyed or otherwise dealt with as the Magistrate may direct.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to prohibit the importation into India, and the manufacture and sale in this country, of matches which contain white (yellow) phosphorus.

It has recently been decided that India shall become a party to the Berne International Convention of 1906, the object of which is to prohibit the use of white (yellow) phosphorus in matches, in order to eliminate absolutely the chance of the very painful disease called "necrosis" or "phossy jaw" occurring among the operatives in match factories. Under the terms of that Convention, it is incumbent upon the contracting parties to take the necessary administrative steps to ensure the attainment of the object of the Convention within their respective territories; and the present Bill has been framed accordingly. The provisions of the Bill follows as closely as necessary and practicable the lines of the English White Phosphorus Matches Prohibition Act, 1908 (8 Edw. 7, ch. 42).

The 21*st August* 1911.

W. H. CLARK.

30th November, 1911.

From

THE SECRETARY.
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To

THE SECRETARY,
GOVERNMENT OF BOMBAY,
GENERAL DEPARTMENT,
BOMBAY.

Sir,

By direction of the Committee of this Chamber I am to acknowledge the receipt of year letter of the 30th October 1911, bearing No. 3382 of 1911, and to give their opinion on the Bill to prohibit the importation, manufacture and sale of matches with white phosphorus below.

The Committee are sorry that they cannot support this Bill as it will operate harshly in its effects upon the poor people. Matches with white phosphorus are cheaper than safety matches and specially serviceable in the Monsoon when safety matches are found to be useless chiefly for those who have to do outdoor work. The annual imports of matches with white phosphorus will show the popularity and general use of these. Owing to these reasons the Committee cannot support the Bill and beg to hope that it will be dropped.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA.
Secretary.

APPENDIX I.

Banking Institutions.

No. 8429 of 1911.

Revenue Department.

Bombay Castle, 8th September 1911.

From

R. D. BELL, ESQUIRE, I. C. S.,
UNDER-SECRETARY TO THE GOVERNMENT
OF BOMBAY.

To

THE SECRETARY, INDIAN MERCHANTS'
CHAMBER AND BUREAU.

Sir

Some important questions relating to Banking in the Bombay Presidency have recently been brought to the notice of Government, and the Governor in Council would be glad to be favoured with the opinion of the Indian Merchants' Chamber and Bureau before taking any action in the matter.

2. It has been represented that there has been a considerable increase in the number of smaller country banks, and that they do not always restrict themselves to legitimate banking business; also that certain institutions call themselves banks, though they have no real right to that title. On the other hand it is reported that Joint Stock Companies, such as Cotton Mills, not infrequently accept deposits and indirectly do business as bankers, a procedure that gives great opportunity for fraud.

3. It is further represented that the standard of the auditing of Joint Stock Companies, which is the principal safeguard of public interests, is often quite inadequate, especially in the case of small Insurance Companies.

4. I am accordingly to request that you will be so good as to move the Indian Merchants' Chamber and Bureau to favour Government with their opinion as to the extent of the alleged evils, and as to the measures, either legislative or executive or both, which they recommend for remedying them.

5. Their opinion is requested particularly on the following points :—

(1) Should the Memoranda of Association of Joint Stock Companies be more strictly limited to one object than they are at present ?

(2) What measures should be adopted to prevent Joint Stock Companies from entering into transactions outside the scope of their legitimate business ?

(3) What steps should be taken to prevent institutions from describing themselves Banks, when they have no legitimate claim to that title ? This question applies to

(a) Companies that are registered under the Indian Companies Act, 1882.

(b) Unregistered Companies, such as Indian Padhis.

(4) Should Public Accountants who have passed an approved test be registered by Government, so that the public may know when an Accountant is a properly qualified man ?

(5) Should the scope of the duties of Official Auditors, such as the Examiner, Local Fund Accounts, (who is an Assistant Accountant General) be extended to Joint Stock Companies ?

(6) Generally, what measures are necessary for improving the audit or Joint Stock Companies ?

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL,
Under-Secretary to Government.

Bombay, 14th December 1911.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER & BUREAU,
BOMBAY,

To

R. D. BELL, Esq., I. C. S.,
UNDER-SECRETARY TO THE GOVT. OF BOMBAY,
BOMBAY.

SIR,

By direction of the Committee of this Chamber I beg to acknowledge the receipt of your letter No. 8429 of 1911, dated the 8th September 1911, and to reply thereto as follows.—

My Committee's answer to your question I in para 5th is in the affirmative. It is advisable that the Bill should strictly prescribe what

the memorandum of Association of a Joint Stock Company should be so far as the object or objects is or are concerned. The objects should be clear and well defined, not vague and ambiguous so as to be open to various interpretations. The answer to the second question is that the object can be served by amending the Companies' Act so as to enable the Government, after giving due warning, to compulsorily wind up the Company which may be found to have entered into transactions outside the scope of its Memorandum of Association.

Referring to the First para of the third question, my Committee beg to observe that if companies (not registered as banking concerns) be known to transact business which directly or indirectly is business of a banking nature, they should be prevented by Law from so doing, it being held penal for the Directors to enter into such transactions.

The best remedy would be to enact that Joint-Stock Companies of a non-banking nature should be allowed to borrow for their own legitimate needs or purposes only. But under no circumstances should they be allowed to invest their surplus balances except in securities recognised by the Government under the Indian Trust Act and in loans to banks, and they should be required to deposit their cash balances with Banks. With regard to No. B of question 3 para 5 the Committee are of opinion that it is inadvisable to interfere with the working of the Indian Pedhis or with any private concerns doing banking business.

The Committee beg to draw the attention of the Government to the fact that Indian Princes, who are exempt from civil liability are sometimes appointed Directors on the Board of Joint-Stock concerns. In cases where those, exempt from civil liability, prefer to interest themselves as Directors in the affairs of Joint-Stock Companies it would be well, my Committee suggest, were they made amenable to the Civil Law and to all the liabilities attached thereto.

In this connection, I am by directions of my Committee to request you to bring to the notice of the Government the following further suggestions in connection with Joint-Stock Companies.

1. This representation should be considered in continuation of letter sent by this Chamber regarding Joint-Stock Companies, dated the 11th January 1911. Special attention is solicited to what is said therein regarding the power of mortgages by Joint-Stock Companies.

2. To secure a better and sounder working of Banks it is essential that they should be required to publish at the head of every public notification the names of the Directors, the amount of capital subscribed, and paid up, the amount of reserve if any, and the amount of their deposits as recorded at the date of the last audit of their accounts. Again the accounts of a bank should be audited by a fully qualified auditor once every six months and a declaration of the examination of the accounts should be published over the auditor's signature. Such accounts should also show separately :—

Liabilities on current and other deposit ac counts.

(*b*) Liabilities on Bills accepted.

(*c*) Liabilities on account of Loans borrowed.

(*d*) Securities valued at the rate current on the date of making up of the accounts.

(*e*) Cash on hand.

(*f*) Cash deposited with other Banks with the name of the bank and its respective amounts.

Further, banks should be required to state the nature of securities held by them against the advances made, viz., advances made against

1. Bank's own shares.
2. Immoveable property.
3. Shares of various Joint-Stock Companies.

With regard to the question of auditing the Committee beg to offer the following suggestions :—

1. There ought to be a register of Accountants and Auditors under the authority of the Government of India.

2. The audit of accounts of the Joint-Stock Companies should be restricted to the auditors on the public register except when the

Government directs otherwise for particular places; in such cases the Registrar of Joint-Stock Companies of the locality should be authorised to permit the company to appoint a non-registered auditor on the ground that no registered auditor is not available.

3. The qualifications of auditors on the public Rgister should be,

(*a*) Every fellow, associate or member of an Incorporated body of Professional Accountants and Auditors of Great-Britain and Ireland or of India when formed who may be recognised from time to time by the Government of India.

[*b*] The following public bodies may be recognised for the present:—

1. The Institute of Chartered Accountants.
2. The Scottish Chartered Accountants.
3. The Institute of Chartered Accountants, Ireland.
4. The Society of Incorporated Accountants and Auditors.
5. The Corporation of Accountants.
6. The Central Association of Accountants.

Members of the first three Societies are designated, as the Government may be aware, Chartered Accountants, those of the fourth as Incorporated Accountants, of the fifth as Corporate Accountants, and of the last as Associated Accountants.

(*c*) All the practising auditors at the time of the passing of the Act should be recognised in the first list.

(*d*) Person who have passed examinations instituted either by the Government or by any Indian University or by any public body recognised by the Government for the profession of Accountants and Auditors, provided that they have served under registered auditors or worked as accountants for a period of at least two years.

4. It is important that the sub-section 4 of section 112 of the Companies Consolidation Act of 1908 should be with regard to the election of auditors, introduced in the new Indian Companies Act also.

5. Of equal importance is it to embody in the new Companie Act section 281 of the British Companies Act regarding the liability of auditors. It should be enacted that registered auditors are liable to be removed from the Government register for proved unprofessional conduct or fraud or bribery. The introduction of these two sections in the proposed Bill will tend to improve the status, integrity and independence of auditors. With regard to para 5 of your letter regarding the scope of the duties of official auditors the Committee are of opinion that official auditors will not be materially useful for conducting the audits of Joint-Stock Companies as the accounts kept by mercantile offices differ in many important respects from the method of keeping official accounts. Moreover the rights of share-holders to nominate their own auditors should not be encroached upon by the appointment of official auditors.

I beg to remain Sir,
Your most Obedient Servant,
J. K. MEHTA,
Secretary.

APPENDIX J.

Weights and Measures.

Bombay, 7th February 1912.

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU.

Sir,

I have the honour to request that you will be good enough to submit to the Indian Merchants' Chamber and Bureau the appended *ad interim* report of the committtee appointed by Government to make

proposals for the standardization of weights and measures and to favour me at an early date with a note of any comments or recommendations that they may be pleased to make thereon.

I have the honour to be,
Sir,
Your most obedient servant,
J. L. RIEU.
Chairman, Weights and Measures Committee.

Weights and Measures.
Ad interim report of the committee appointed to make proposals for the standardization of weights and measures.

General Department.
No. 6719

Bombay Castle,
16th November 1911.

Read again Government Resolution No. 1756, dated the 23rd March 1911 :—

Appointing a committee to make proposals for the standardization of weights and measures.

Letter from the Hon'ble Mr. J. P. Orr, President of the Committee, dated the 9th November 1911 :—

" I have the honour to request that you will be good enough to submit to Government the appended *ad interim* report* of the committee appointed by Government Resulation No 1756 of 23rd March 1911, General Department, to make proposals for the standardization of weights and measures.

" Two minutes sent by Messrs. Garud and Rodda, respectively, when returning the draft approved, are printed below the report."

RESOLUTION.—The *ad interim* report submitted by the committee appointed to make proposals for the standardization of weights and measures should be communicated to the Press and published in the

Bombay Government Gazette for general information. All persons or bodies who have any criticism or opinion to offer on the proposals contained in the report should be requested to forward their representations to the Secretary to Government, General Department, by the 15th January 1912 at the latest.

2. Copies of the report should be forwarded also to all Collectors in the Presideney proper with a request that they will try to ascertain local opinion, especially in rural areas, on these proposals, and report the rosult of their inquiries to Government through the Commissioners, not later than 15th January 1912.

J. L RIEU,
Secretary to Government.

To

The Commissioner in Sind (for information),
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
All Collectors in the Presidency proper,
The Hon'ble Mr. J. P. Orr, I. C. S.,
The Hon'ble Mr. A. R. Greaves,
The Hon'ble Sardar Purushottamdas Viharidas Desai,
The Hon'ble Mr. Gokuldas Kahandas Parekh,
The Hon'ble Mr. Siddhanath Dhonddev Garud,
The Hon'ble Mr. Dattatraya Venkatesh Belvi,
The Hon'ble Rao Bahadur Shrinivas Konher Rodda,
The Hon'ble Mr. Manmohandas Ramji,
The Hon'ble Mr. Fazulbhoy Currimbhoy Ebrahim,
The Hon'ble Mr. Raghunath Pandurang Karandikar,
} By letter.
The remaining Non-official Members of the Legislative Council,
The Oriental Translator to Govrnment,
The Editors' Tables and Editors of Newspapers,
The Separate Department (for the reading room for the Members of the Legislative Council),

The Revenue Department, } with a copy of Government Resolu-
The Judicial Department, } tion No. 1756, dated 23rd March 1911.

* Appended to this Resolution.

Genl 1158

No. of 1911.

Copy forwarded for information and guidance to

Ad interim *report of Committee appointed to make proposals for the standardizatien of weights and measures.*

1. From the reports and the other papers laid before us and the information we have been able to gather by our own individual inquiries we have no hesitation in saying that over far the greater part of the Bombay Presidency the standardization of weights and measures would be heartily welcomed by the people.

2. At the same time we are much impressed with the necessity of proceeding slowly. Legislation, we think, should not be immediate, universal, and compulsory, but should rather wait upon popular demand stepping in to confirm and consolidate whatever steps the people of any tract may have taken for themselves in the direction of standardization.

3. We recognize that for want of cohesion, *savoir faire*, or the means of co-operation, the people of large tracts may tolerate existing evils for years after the complaint against them has become universal, and that therefore they require a lead in the direction of standardization, but we think that such a lead should be supplied by executive action, legislation stepping in only as a secondary measure, after practical experience has shown how far the lines adopted are suitable and worthy of confirmation.

4. There is likely to be far more power in the *lead* supplied by local legislation based on practice proved by experience in however small an area to be sound and popular, than in the *drive* supplied by tentative legislation compulsorily applied over large areas subject to many diverse conditions of trade and social life.

5. Fortunately an excellent lead has already been given in East Khandesh where the Collector, Mr. Simcox, has gradually in the course of three years induced the people to adopt throughout the district uniform weights and measures of capacity. From his appended report No. 9695 of 28th December 1910 it will be seen that he justly claims to have acted on "the people's mandate," and we learn that his action is so highly appreciated by the people that there is no difficulty in enforcing the use of his standard weights and measures to the exclusion of all others, even without the aid of legislation.

6. There are two important features in the procedure adopted by Mr. Simcox which we think essential to the success of all endeavours in the direction of standardization :—

(1) the new standards approximate to the weights and measures hitherto in actual use, so that no great upheaval of practice is involved in their adoption.

(2) the people and especially traders were freely consulted in the outset and the innovation made was made in pursuance of a resolution passed by their leaders.

7. The East Khandesh weights are based upon the tola of 180 grains which is in accordance with Bengal Regulation VII of 1833.

The table of weights is—

180 grains=1 tola.
80 tolas =1 ser.
40 sers =1 maund.

It was this very table which the Government of India suggested for general adoption when addressing Local Governments with a view to standardizing weights and measures in 1890, and these weights have long been in use as Government standards throughout India.

8. The maund is the same as the Railway maund (82 2-7 lbs.), which has now become familiar to traders through having been for many years the maund in universal use on Government railways. It is connected with English weights (which are now commonly used in wholesale transactions in Bombay City) by the equation 49 maunds= 36 cwts., so that the rule for converting maunds to hundredweights is "multiply twice by 6 and divide twice by 7."

9. We think it essential that all local standards to which Government give the weight of legislative sanction should be based on the tola of 180 grains and that the maund should be the Railway maund of 82 2-7 lbs.

10. In East Khandesh the standard dry measures are connected with the standard weights by the prescription that the ser measure must be a vessel of such capacity as to just contain a ser's weight of water (*i. e.*, water weighing 1 standard ser): and it will probably be found that in most other districts there was originally some such connection between the local weights and measures : for this same principle is prescribed in Bengal Regulation VII of 1833 for the relation of dry measures of capacity to weights, and we find that in 1848 the Bombay Government adopted the standards prescribed in that Regulation.

11. We think that this connection should be maintained wherever any trace of it is found. One great advantage about it is the facility it affords for testing measures whatever their shape, wherever custom is in favour of struck measures.

12. Where the custom is to measure by heaped measures, there must be additional prescriptions as to the shape and area of the mouth of each standard measure. The East Khandesh standard measures are cylinders with diameters of 7 inches for the adholi (2 sers) measures, 5 inches for the ser, 4 inches for the $\frac{1}{2}$ ser, and 3 inches for the $\frac{1}{4}$ ser.

13. We approve of the prescription of diameter containing an integral number of inches as more easily ascertainable than such lengths as $4\frac{3}{8}$ inches, which appears from Government Resolution No. 2511 of 26th April 1911, General Department, to be the diameter of the ser measure in use in Gadag Bettigeri.

14. There is, however, no need to insist on the universal adoption of *Cylinders* throughout the Presidency. In some districts traders prefer measures of the hour-glass shape as more easy to handle (and possibly more easy to swindle with?), and, since the water test is as easily applicable to these as to cylinders, there is no objection to them (unless it is that an expert salesman will let less come out than goes

in), provided that, if they are prescribed as standard measures, the diameter of their mouths is fixed in accordance with the commonest custom, where *heaped* measure is the rule.

15 The only point is respect of which the East Khandesh standards strike us as not quite satisfactory, is the fact that liquid measures are just half the size of the corresponding dry measures, *i.e.*, the ser measure for milk is the half ser for grain, and so on. It would be simpler if those vessels which contained a ser of grain contained also a ser (not, as in East Khàndesh, 2 sers) of milk. We are, however, assured that this relation between dry and liquid measures is so well established and recognized throughout Khandesh that its abolition would cause more confusion that its retention. Consistently, therefore, with the principle of avoiding all avoidable interference with existing customs, we abstain from advocating any change in the East Khandesh arrangements.

16. For similar reasons we abstain from recommending that the very same weights and measures which have been adopted in East Khandesh should be adopted all over the Presidency. We think that if a new system is started in any area. it should be as nearly as possible similar to the best of the pervading systims in that area. The line must, however, bedrawns somewhere; otherwise, while the uniformity of measures within particular areas facilitates trade within each such area, the diversity of standards in different areas will only add to the confusion in dealings between one area and another.

17. We think that such undue diversity of standards will be sufficiently guarded against, if Government decline to sanction standards which are not based on the tola of 180 grains or which do not bear an easily ascertainable relation to the East Khandesh standards. If, for instance, a standard measure ser equal to half the East Khandesh ser is proposed for any district, there should be no objection to it, as, *ex hypothese*, the traders between these two districts will already be accustomed to the difference between the two sets of measures; but, if one or two districts sought to adopt weights and measures by the use of multiples with many decimal points, we would recommend the refusal of sanction. This would probably result in the long run

in all the districts coming into line and adopting the same or easily correlated standards.

18. It may at first sight appear that since Mr. Simcox's system has proved a success in East Khandesh without legislation, there is no need of legislation anywhere; but it appears from the records that many years ago standards were determined not only in Khandesh, but in other districts also, and that it was just the want of legislation for the maintenance of those standards that led in course of time to gradual divergence therefrom in actual practice, till even the fact that there had once been such standards was lost sight of.

19. That this may not happen again we recommend the enactment of legislation to the effect that Taluka Local Boards and Municipalities may with the Sanction of Goverment prescribe the weights and measures which alone shall be used in retail or wholesale trade in specified commodities in the whole or any part of area of their jurisdiction after a certain date, of with six months' public notice will be given, and ahat after that date any Government, Tàluka Local Board or Municipal officer may destroy any other weight or measure. that he finds in the possession of any one trading in any of those specified commodities in the said area. The new Act should also definitely prescribe a penalty for use of any but the prescribed weights and measures, to cover cases to which Chapter XIII of the Indian Penal Code does not exactly apply and in which prosecution is thought necessary in addition to thedestruction of the false weight sand measure

20. No other substantive provision of law seems to be required; for Government can let Tlauka Local Boards and Municipalities know by departmental circular the procedure that must be followed and the conditions (e. g , those indicated in paragraphs 9, 11, 13 and 17 above that must be fulfilled in order to secure Government sanction; but there is no need to embody these in the law, and in view of the probability of Government having to vary the conditions in the light of experience, it would we think be a mistake to do so.

21. We think that the duty of providing for inspection and stamping (if necessary) of weights and measures, or of supplying standards in the several market towns, and of giving facilities to traders for the purchase of new weights and measures during the six months' notice period, should be left to Tàluka Local Bords and

Municipalities; and power to make rules and by-laws in respect of these matters may perhaps be given to them, subject to special prescriptions designed to ensure that the draft of such rules and by-laws shall have been before the public at least three months and shall have been particularly brought to the notice of traders, with a view to giving them ample opportunity to bring any objection to them to the notice of the sanctioning authority before sanction is accorded.

22. We do not wish the views and recommendation set out above to be taken as those finally adopted by us. They are the views and recommendations which most of us are prepared to subscribe to in the light of our present information; but we have had only one opportunty of meeting (viz., after the Council meeting of last July) so far, and we feel that, before we put our views and recommendations in-to final shape, we ought to have before us some indication of the trend of public opinion on the subject, to guide us in our final discussion after the November Council meeting.

23. We therefore submit this ad interim report in the hope that Government will see fit to publish in a Press Note, with a view to eliciting comments in the public Press, by which we should greatly profit in our final discussion of the subject next month.

24. The only recommendation that we make just now is that Government should send copies of Mr. Simcox report to all Collectors one instruct them all, especially those of West Khandesh and Nasik, the nearest to East Khandesh, to adopt Mr. Simcox's methods in their respective districts, if they think they have any chance of success begining, as Mr. Simcox's did by sounding traders and leading citizens in Darbars especially arranged for this purpose.

J. P. ORR
H. R. GREAVES.
FAZULBHOY CURRIBHOY.
S. D GARUD (subject to a minute)
SHRINIVAS KONHER RODDA.
R. P. KARANDIKAR.
D. V. BELVI.
PURUSHOTTAMDAS V. DESAI.
GOKULDAS K. PAREKH.
MUNMOHUNDASS RAMJI.

Minute of the Hon'ble Mr. S. D. Garud.

As there is a consensus of opinion in favour of standardization, I think we should advise Government to undertake some definite legislation which will be uniform and compulsory on the lines of Mr. Shaw Stewart's draft Bill of 1867. A lead in the direction of standardization has long ago been given by the Railway Companies, but teere has not been much improvement.

I would also advocate the adoption of a tola of 175 grains. This will give a readily understood relation between the English and the Indian weights and make cheap and accurate English weights available for weighing purposes. It will also eliminate the fraction from calculation. The tola is a variable weight. At Dhulia gold is weighted by a tola which consists of 185 grains. The Indian table of weights stands thus .—

8 gunjas — 1 masa.
12 masas — 1 tola.

Now—

2 grains — 1 gunja
. . 199 grains — 1 tola

We shall not therefore, I submit, be disturbing any fixeb popular notions if we adopt the grain as the unit and make a tola consist of 175 grains. The proposed table of weights will stand thus :—

175 grains — 1 tola.
80 tolas — 1 ser.
40 sers — 1 maund.
20 maunds — 1 khandy.

And 40 tolas — 1 pound.
56 sers — 1 cwt.
28 maunds — 1 ton.

The pound and the ton are at prsent in use all over the country, but there is now no fixed relation betwcen them and the Indian weights. Different standards prevail in different places.

The liquid measures should also be brought as near as possible to the pint, the quart and the gallon, and the present nomenclature should be retained.

Until this legislation can be undertaken, I am entirely in favour of Mr. Simcox's proposals, and I strongly advocate their extension to West Khandesh and Nasik.

A meeting of the Dhulia traders was called at my request by Mr. Bomonji, the Collector of the West Khandesh. I append the resolutions adopted at the meeting.

Resolutions passed at a meeting of traders held at Dhulia.

I. Resolved ihat if the railway rates are introduced all over India, people are willing to accept them, but not if they are introduced in the Bombay Presidency.

II. Resolved that if all measure are abolished all over India, people in Dhulia are prepared to accept the change.

III. Resolved that present ser should be kept at 80 tolae and not assimilated to a pound.

Minute of the Hon'ble Rao Bahadur S. K Rodda.

I have been enquiring fram several traders here and at Hubli one of the greatest centre of commercial activity in these parts, and from traders at most of the important places in the Dharwar District about the standard weight introduced in Khandesh. The result of my enquiries go show that there is full concurrence with the measure introduced in Khandesh. In many places of the Belgaum District a ser of 80 tolas is already in practice. Dharwar District has moved in the matter for nearly half country. Bijapur and parts of the Kanara District have sers of 80 tolas. Under these circumstances, legislation to secure uniformity is needed. Like coins, standards of weight and measures are the royal prerongative and the Sovereign should legislate about securing uniformity in this respect to prevent deception and fraud.

No. 9695 of 1910.

From

A. H. A. SIMCOX, Esq., B. A., I. C. S.,
COLLECTOR OF EAST KHANDESH.

To

THE COMMISSIONER, CENTRAL DIVISION,
POONA.

Camp Ghodasgaon, 28th December 1910.

SIR,

With reference to your No. P.-1769, dated 19th December 1910, I have the honour to report that it is difficult to express my opinion as the measures contemplated in Government Resolution No. 6047 have already been adopted in this district.

2. I think it may serve your purpose better if I relate what has been done.

3. Very soon after I came to the district, I found that the great Khandesh grain ser was variable in its contents. So-called "standard sers" existed in the various taluka stations which had very old stamps on them dating from the time of the Honourable East India Company. These owing to breakage, indentation and so forth had themselves become variable. Much more so other measures, certified on comparison with the inaccurate "standards". Moreover, some of the measures were wide-mouthed, and some narrow-mouthed. As grain is always sold by heaped measure, this obviously made a great difference in actual business. Also measures had concave bottoms and various shaped sides, which might be indented or altered in various ways.

4. I had up all the "standards" and tested them in the only possible accurate way, that is, by weighing their contents in water. It became obvious that the standard had been originally fixed in

this way. Large mouthed and small mouthed cylindrical or lota-shaped "standards" were all found to have a content varying slightly on either side of 160 tolas weight of water.

5. In the word ser I would include all the measures derived from the ser, *viz.*, 2 sers, ½ ser, ¼, ⅛ and 1-16 ser. The standards of these were found to vary similarly around 320, 80, 40, 20 and 10 tolas respectively, in content of water by weight. I then took the average width at mouth of the various "standards," and had a set of measures made of cylindrical form and very stout, containing the exact weights of water and having duly proportionate widths at the mouths. I then (on July 18th, 1908) convened a general meeting of tradesmen and others in the district, which was largely and influentially attended. I explained what I had done, and how my conclusions were formed. The meeting agreed with me, and authorized me to issue the new standard measures. This has been done, and they are now universally in use under my orders. When traders are found using old measures, they are confiscated, broken up, and the copper or brass returned to the traders. There is great contentment in the district, over this action. The new measures before issue are all unified, and stamped with distinguishing letters.

6. In 1909, by general consent, I took up the question of weights. The case was slightly different, for there were no standard weights. It was supposed to be an accepted fact that the maund weighed 40 sers of 80 tolas each ser, and that the lesser weights were in proportion. The variations arose in two ways—(1) the maund, 1½ maund and ½ maund were always of wrought iron, in the form of a truncated cone, with a hollow in the top into which was fixed a a staple, through which was threaded a ring for lifting purposes. These may have originally weighed correct, including ring, staple and solder or lead for securing staple. But the staples would come out, and the rings break. More or less lead could be re-inserted and heavier or lighter rings used, and this was done both by accident and design. A difference of several lbs. in the maund could easily be effected, though the weight might have a very good appearance. (2) In the case of small weights, they were often merely square or

oblong pieces chopped off flat iron bars. These, of course, might or might not be accurate.

7. What I did was this. In the rains of 1909 I called a general meeting as before, which was unanimous in declaring that weights should be made uniform and to the standard of the 40-ser maund. I was authorized to provide weights which would be correct, and would not be liable to surreptitious alteration, and which should be duly stamped. A contractor was appointed who undertook to get sets of weights made of cast iron, the smaller being the familiar round weights, and the larger of the common oblong shape with cast sunk handles. A great many of these have been supplied and are in use. The step has not been so completely successful as in the case of grain measures, owing to the contractor having tried to make extra profit by supplying inferior castings, wanting in accuracy, etc., and owing to the difficulty of handstamping cast iron. Still, the public are sure of getting within about 10 or 12 tolas of a true maund now, *i. e.*, they are only $\frac{1}{4}$ lb. out, whereas formerly they might be 2 or 3 lbs. The defects are of execution, not of principle, and I am now getting them remedied by ordering exact weights from a firm of repute.

8. During last rains, I took up the question of measures used for milk and oil. Of these three were "standards" which I called in and found that the milk and oil "ser" should contain exactly 80 tolas of water. In fact the milk "ser" was meant to be exactly half the grain "ser" in capacity. The width at mouth did not of course matter, the contents being liquid. There were a few instances of purely irrelevant measures, made of various materials, such as old kerosene tins and pieces of babul trunks hollowed. These may have been introduced by wandering herdsmen such as Dhangars and Vanjaris, who are common in this district. Also in some cases the right (or approximately right) measures were in use but called by wrong names, doubtless owing to the fact that a grain "pav-ser" was equal to a milk "achher" and so forth. But the original intention was obvious. I therefore called a further general meeting and submitted a new and exact set of measures based on the milk ser considered as a cylindrical measure which contained 80 tolas

of water. The meeting thoroughly approved and the new measures are now being introduced.

9. Thus the weights and measures of this district have already been standardized not by the Municipalities or District Local Board, but by the Collector with a mandate from the people. I am aware that there is no law by which I can enforce my action. I cannot prosecute those who use incorrect weights and measures, but I simply have them confiscated, broken up and returned. In no case has any person so treated complained or appealed, for all know well that only fair trade is being aimed at, and such as persist in using the old unfair weights are ashamed of being detected in what is morally, if not legally, cheating.

10. I submit that what I have done is a step and a great step towards unifying weights and measures in India. Whatever action Government may take, I presume that the tola, ser = 80 tolas and maund = 40 sers will stand. It will be difficult in country district to induce the sale of such commodities as grain, milk, or oil by weight rather than by measure. Assuming then that both weights and measures have to be providod, the only readily practicable way of standardizing the measures in terms of weights will be to provide that certain measures should contain certain specified weights of water. In the case of grain measures, the width of the mouth will also have to be regulated, owing to the universal habit of selling by heaped measures. This being so, measures whose contents in weight of water exactly correspoud with sers or multiples of fractions of sers by weight will obviously be simple, easy to compare, and easy to standardize. The table below will show how my weights and measures fall in with the above :—

	1	2	3	4	5	6	7
Tolas	5	10	20	40	80	160	320
Weights	Chatak.	Adpav.	Pav-ser	Achher.	1 ser...	2 sers.	4 sers.
Grain measures (weight of water contained in.)	...	Chatak.	Adpav.	Pav-ser	Achher	Ser ...	2 sers (champa).
Milk and oil measures (weight of water contained in.)	Chatak.	Adpav.	Pav-ser	Achher	Ser ...	2 sers.	...

8	9	10	11	12	13	14	15	16	17
400	640	800	1,600	3,200	6,400	9,600	10,240	19,200	20,480
$\frac{1}{16}$ maund.	...	$\frac{1}{8}$ maund.	$\frac{1}{4}$ maund.	$\frac{1}{2}$ maund.	Maund.	$1\frac{1}{2}$ maund admap.	...	3 maunds map.	...
...	4 sers (payali)	...	...	...	...	...	Maund of 16 payalis.	...	Map 2 (mnds.)
...	...	...	...	...	...	...	...	...	...

11. You will notice that the steps taken have not been revolutionary, or they would doubtless have met with great opposition, for in nothing are people more conservative than in weights and measures. On the other hand, they were simply intended to unify and standardize what must have been once uniform, but had become full of errors. The people have given their hearty support; indeed, had it not been so I could have proceeded no further, for I had no law behind me.

12. I submit a spare copy of this letter which I would request you, if you think it worth while, to forward to Government, for I have never placed these matters before Government in detail up to now.

I have the honour to be,
Sir,
Your most obedient servant,
A. H. A. SIMCOX,
Collector of East Khandesh.

Bombay, 18th March 1912.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To

J. P. ORR, Esq., I. C. S.
CHAIRMAN, WEIGHTS AND MEASURES COMMITTEE,
BOMBAY.

SIR,

The Committee of this Chamber have directed me to acknowledge the receipt of your letter of the 7th February 1912, and to communicate to you their opinion on the question asked, namely, the desirability or otherwise of having uniform weights and measures in the

Presidency. The Committee have fully considered the report made by the Government Committee appointed for suggesting the manner in which the standardisation of weights and measures could be best achieved and are in accord with the suggestion made.'

In this connection a question naturally arises whether it would be better to introduce the proposed measures by means of some legislative enactment or by means of executive action on the part of District Officers in different districts. My Committee are in perfect accord with the aforementioned Committee in thinking that executive action as a preliminary would be far better than legislation as the former will be in consonance with the cherished sentiments of the people themselves in each district and the evil effect of breaking rudely all at once by measures of legislation these sentiments would thus be entirely obviated.

Executive action will proceed on the line of least resistance and would so far most successfully accomplish the excellent object in view.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA.

APPENDIX K.

Refund of Freight for Shortage in Coal.

Bombay, 11th December 1911.

From
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To
THE SECRETARY,
THE RAILWAY BOARD,
SIMLA.

Sir,

The committee of this Chamber have asked me to submit for the kind consideration of the Railway Board this letter and the accompanying

* correspondence, relating to the grievance of coal merchants regarding the refusal of the B. B. and C. I. Railway company to accede to their request to have the coal reweighed at stations of destinations and to have the refund of freight on the shortage found therein. I need not mention that coal is an article of very great importance to the manufacturing industry in this Presidency where most of the important industrial centres are served by the B. B. and C. I. Railway.

The cost of coal is made up of two items, cost at pits' mouth and Railway freight; of these two the last is more important as most times it is more than thrice the former in amount. Thus contrary to what happens in other classes of goods, the freight is a vital element in cost of coal to the trade.

Either owing to careless weighing at starting stations or to theft on route, while the coal is in custody of the railways, quite an appreciable percentage of coal is lost, sometimes as much as 10 p. c. The committee beg to observe that the Railway companies in all justice to merchants should not charge freight for goods that are not actually carried by them. The B. N. Railway, E. I. Railway. G. I. P. Ry, and N. W. Railway companies have acknowledged the justice of this contention of coal merchants, as will be seen from the (circular No. 1 of 1911) issued by the G. I. P. Railway company. The request of coal merchants is that the B. B. and C. I. Railway company which serves several industrial centres in Gujrat should also adopt this circular. Unfortunately, the authorities of that company have not acceded to this notwithstanding repeated requests.

The committee beg to approach the Railway Board with a request that the B. B. and C. I. Railway company will be asked to make necessary arrangements and conveniences for the merchants in the way of reweighment and refund.

I beg to remain,
Sir,
Your most obedient servant,
(Sd.) J. K. MEHTA,
Secretary.

* This correspondence is published on P, in the Report of the Chamber for 1910-11.

Government of India.
Railway Department
(Railway Board).
No. 155 R. T.

Calcutta, 1st February 1912.

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

DEAR SIR,

I am directed to inform you that your letter of 11th December 1911, has been communicated to the Agent, Bombay, Baroda and Central India Railway.

Yours faithfully,
(Sd.) R. C. VOLKERT,
Secretary, Railway Board.

Documents accompanying :—
Nil.

APPENDIX L.

Sample Post.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBERAND BUREAU,
BOMBAY.

To

THE SECRETARY,
GOVERNMENT OF INDIA,
COMMERCE AND INDUSTRY DEPARTMENT,
CALCUTTA.

SIR,

The Committee of the Chamber have directed me to draw your attention to the following matter in reference to Sample Post. It is found

that while in Great Britain the weight allowed for sample packets for foreign postage (to India) is 5 lbs. *i.e*, 200 tolas, the weight allowed for sample packets in this country is only 80 tolas. Thus, the position is that while a manufacturer in Great Britain situated 600 miles away and more can send a sample packet weighing 200 tolas to Delhi for instance, a merchant of Bombay who is at a distance, say about 900 miles only from Delhi can send a sample packet of only 80 tolas to that place. This limited weight allowed for sample packets in this country apart from its apparent unfairness gives rise to some inconvenience, as there were several things of which samples cannot be accommodated in small packets. It may be said that merchants can make use of parcel post but the fact is that the delivery of parcels is later than that of the sample packets. And it is superfluous to inform you that time is of the highest importance both to the sender and the recipient of the parcel. My Committee beg therefore to suggest that the Government will be pleased to remove this anomaly by increasing the limit of the weight allowed for sample packets in this country, which no doubt will confer great conveniences on the public and is certain to be highly appreciated.

I beg to remain,
Sir,
Your most obedient servant.
(Sd.) J. K. MEHTA,
Secretary.

No. 1722-46.

Government of India.
Department of Commerce and Industry.
Calcutta, 23rd February 1912.

From (Post Office).

A. H. LEY, Esq., I. C. S.,
UNDER SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

Sir,

I am directed to acknowledge the receipt of your letter, dated the 20th February 1912, regarding the proposed increase of the limit of weight for sample packets sent by the inland post.

2. In reply I am to say that your letter will be submitted for the consideration of the Government of India.

I have the honour to be,
Sir,
Your most obedient servant,
A. H. LEY.
Under-Secy. to the Govt. of India.

No. 3413-46.

Government of India.
Department of Commerce and Industry.
Simla, the 30th April 1912.
(Post Office).

From

A. H. LEY, Esq., I. C. S.

UNDER SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

SIR,

In continuation of my letter No. 1722-46, dated the 23rd February 1912, I am directed to request that you will be good enough to furnish the Government of India with the names and description of the actual articles of merchandise, of which in your opinion adequate samples cannot be sent by the inland sample post on account of the present inland limit of weight (80 tolas), and in respect of which merchants in the United Kingdom have an unfair advantage on account of the higher limit of 5 lbs. for sample packets sent from England.

I have the honour to be,
Sir,
Your most obedient servant,
A. H. LEY,
Under-Secy. to the Govt. of India.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU.
BOMBAY.

21st June 1912.

To

A. H. LEY, Esq., I. C. S.
UNDER-SECRETARY TO THE GOVERNMENT OF INDIA
Department of Commerce and Industry,
SIMLA.

SIR

With reference to your favour of the 30th April, 1912, bearing No. 3413-46 I am asked by the Committee to inform you that the following samples cannot be sent by the inland sample post on account of the present inland limit of weight (80 tolas) and in respect of which merchants in the United Kingdom have an unfair advantage on account of the higher limit of 5 lbs. for sample packets sent from England.

1. Shipment patterns representing the contents of the cases in a sample form.

2. Sample books of piece goods showing the designs, etc.

3. Sample pieces of piece goods.

All these different samples are sent from England to this country and yet it is difficult to send them from one place to another in this country as it is impossible to reduce them to the required might.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA.
Secretary.

No. 5074-46.

Government of India.
Department of Commerce and Industry.
(Post Office).
Simla, the 23rd July 1912.

From

A. H. LEY, Esq., I. C. S.,
UNDER-SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

Sir,

With reference to your letter, dated the 21st June 1912, I am directed to request that the Director-General of Posts and Telegraphs who will be in Bombay from July 7th to 15th may be furnished for inspection with (1) specimens of the sample books of piece goods showing designs, etc., and (2) sample pieces of piece goods, which it is found difficult to send by inland sample post on account of the present limit of weight.

I have the honour to be,
Sir,
Your most obedient servant,
A. H. LEY,
Under-Secy. to the Govt. of India.

No. 5075-46.

A copy is forwarded to the Director-General of Posts and Telegraphs.

No. 5749-16.

Department of Commerce and Industry
(Post Office).
Simla, the 24th July, 1912.

From

THE HON'BLE MR. R. E. ENTHOVEN, C. I. E., I. C. S.,
SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

SIR,

With reference to your letter to the Director General of Posts and Telegraphs, dated the 10th July 1912, forwarding for inspection books of specimens of piece-goods and of sample pieces of piece goods, I am directed to enquire whether, in view of the fact that the size of the books does not depend on the nature of the contents, there would be any difficulty in dividing them into two or three packets so as to bring them within the present limit of weight for the inland sample post. It is suggested that the difficulty experienced might be met in this way, and the Government of India would be glad to have the opinion of your Chamber on the proposal.

I have the honour to be,
Sir,
Your most obedient servant,
R. E. ENTHOVEN,
Secretary to the Government of India.

APPENDIX M

Bombay, 28th February, 1912.

Municipal Representation.

To

The Secretary,
Bombay Municipal Corporation,
BOMBAY.

SIR,

It has come to the knowledge of the Committee of this Chamber that some amendments are contemplated in the existing Municipal Act.

and in the system of elections of the Municipal Councillors. My Committee beg to avail themselves of this opportunity to bring to your notice the injustice under which the Indian Commercial Community is labouring in not having a single representative on a body which is entrusted with the responsible work of looking to the civic affairs. The Bombay Chamber of Commerce on the other hand has been enjoying the privilege of returning two members to the Municipal Corporation for the last 23 years. Such a system may have been justifiable in the past when Indian Merchants had no organisation of their own to effectively and authoritatively represent them in the Municipal body. The Committee venture to say that Indian Merchants are no longer under such a disability. They have in the INDIAN Merchants' Chamber and Bureau a fully representative and most influential body of their own. It was because of this representative character and of the expediency to meet the just demands of the Indian Commercial Community that the Government recognised this Chamber and granted it under the Reform Scheme the important privilege of electing with the Piece goods Merchants' Association a member to the Bombay Legislative Council and under the Bill No. 1 of 1909 the right of electing a representative to the Bombay Port Trust.

Under the circumstances it will be only a bare act of justice that the Indian Chamber should be by law entitled to the privilege of electing two members to represent Indian Commercial interests in the Bombay Municipal Corporation. The Committee threfore confidently hope that the Municipal Corporation will be pleased to favourably consider this representation and recommend Government to introduce such changes in the Municipal Constitution as shall enfranchise this Chamber to send in future two representatives to its body.

In case the Municipal Corporation finds it impossible to increase the total membership of the body the Committee beg to urge that the number of representatives of the Bombay Chamber of Commerce should be reduced to one and that this Chamber should be given the right of electing one representative.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary.

No. 6945,

Municipal Corporation Office,
Bombay, 4th March, 1912.

From

R. P. MASANI, Esquire, M. A.,
Municipal Secretary,

To

The Secretary, Indian Merchants' Chamber and Bureau.

Sir,

I have the honour to acknowledge the receipt of your letter noted in the margin and to inform you that it will in due course be placed before the Corporation.

Letter, dated the 28th February 1912, regarding the question of enabling the Indian Merchants' Chamber and Bureau to elect representatives on the Municipal Corporation.

I have the honour to be,
Sir,
Your most obedient Servant,
A. A. MOULVI,
For Municipal Secretary.

APPENDIX N.

College of Commerce.

No. 1851 of 1912.

Educational Department,
Bombay Castle, 18th July, 1912.

From

J. L. RIEU, ESQUIRE, I. C. S.,
SECRETARY TO GOVERNMENT.

To

THE CHAIRMAN, INDIAN MERCHANTS' CHAMBER,
AND BUREAU.
BOMBAY.

Sir,

I am directed to forward herewith copy of a Press Note, No. 1578, dated the 24th June 1912, regarding the promises of support

received by His Excellency the Governor towards the foundation of a Government College of Commerce in Bombay, and to state that the necessary steps for the establishment for the College are being taken and that it is hoped that the institution will be opened in the course of next year. I am to request that the payment of your Chamber's annual contribution of Rs. 1000—may be commenced from next year.

I have the honour to be,
Sir,
Your most obedient servant,
J. L. RIEU,
Secretary to Government.

PRESS NOTE.

His Excellency the Governor has received the following very generous promises of support towards the establishment of a Government College of Commerce in Bombay:—

(1) Sir Jugmohandas Vurjeevandas—Rs. 2,25,000 towards the founding of a professorial chair to bear his name.

(2) The Trustees of the Wadia Charities—Port Trust bonds yielding Rs.4,800 per annum towards the founding of a chair to bear the name of Mr. N. M. Wadia.

(3) Sir Chinubhai Madhavlal—Rs. 1,00,000.

(4) The Bombay Chamber of Commerce Rs. 1,500 per annum.

(5) The Mill-owners Association, Bombay.
(6) The Indian Merchants' Chamber and Bureau, Bombay.
(7) The Bombay Native Piece-goods Merchants' Association.
(9) The Mill-Owners' Assocation, Ahmedabad.

} Rs. 1,000 per annum each.

The income thus provided will amount to about Rs. 23,000 per annum and Government are prepared to contribute an annual grant of Rs 15,000. The liberal and most gratifying support which the proposed college has thus received will enable it to be established, although additional funds will be required to make the institution complete in all respects and to provide

scholarships. Details will now be worked out, and it is hoped that a beginning may be made next year with a staff of two professors (one to act as Principal) and two lecturers. As soon as the necessary arrangements have been made, an Advisory Board will be formed on which the contributing bodies will be represented in order that the courses of study may be kept in full harmony with the practical requirements of commerce and industry. The Governor in Council trusts that the establishment of this college, the first of its kind in this country, will in time go far to supply the growing needs of special commercial education not only of the Presidency, but of India generally.

APPENDIX O.

Improper use of the Royal Arms and Prince of Wales' Feathers in India.

No. 1296 of 1912.

Revenue Department.

Bombay Castle, 6th February, 1912.

From

R. D. BELL, ESQUIRE, I. C. S.,
Under-Secretary to the Government of Bombay,

To

The Secretary,
INDIAN MERCHANTS' CHAMBER AND BUREAU, BOMBAY.

Sir,

I am directed to forward copy of a letter No. 400-414-45, dated 12th January, 1912, from the Government of India and of its accompaniments, on the subject of legislstion with a view to preventing the improper use of the Royal Arms and Prince of Wales' Feathers in India, and to request you to favour Government mith the opinion of the Chamber in the matter.

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL,
Under Secretary to Government.

LIBRARY OF THE BOMBAY BRANCH

Government of India.

Department of Commerce and Industry.

(Commerce and Trade.)

No. 400—414-15, dated 12th January, 1912.

To

The Chief Secretary to the Government of Bombay,

Revenue Department.

Sir,

I am directed to forward copy of a despatch No. 141, Public, dated ths 18th August 1911, from the Right Honourable the Secretary of State for India, forwarding a representation from the Royal Warrant Holders' Association on the subject of the prevention of the improper use of the Royal Arms and Prince of Wales' Feathers in India.

2. It will be observed that the Association recommends the adoption of legislation in India on the lines of section 68 of the English Trade Marks Act of 1905 (5 Edward VII., Cap. 15), and that the Lord Chamberlain has expressed his entire approval of the proposal. In view of the Lord Chamberlain's opinion, the Government of India consider it probable that His Majesty's Government will continue to press for action in the matter, and they are of opinion that the question of the action necessary to provide for the point should now be considered.

3. The Indian law contains no provision governing the unauthorised use of the Royal Insignia, nor can this question be taken up in connection with the contemplated revision of the Indian Company Law, which will apply only to Registered Companies. It is probable therefore that the matter cannot be provided for otherwise than by separate legislation.

4. The provisions of the English law in regard to this matter are as follows :—

Under section 20 of the English Merchandise Marks Act, 1887, a penalty not exceeding £ 20 is provided in case of a false representation by

any person that any goods are made by a person holding a Royal Warrant or for the service of His Majesty or any of the Royal Family or any Government Department. The unauthorised assumption of Royal Arms is dealt with by section 90 (2) of the English Patents and Designs Act, 1907, which provides for a fine not exceeding £ 20 for the use by any person in connection with any trade, business, calling or profession, without the authority of His Majesty, of the Royal Arms (or arms so nearly resembling them as to be calculated to deceive) in such a manner as to be calculated to lead to the belief that he is duly authorised to use them. The provisions of this section are supplemented by those of section 68 of the Trade Marks Act, 1905, which provides for a civil remedy by injunction applicable not only to the misuse of the Royal Arms but also to the use of any device, emblem or title in such manner as to be calculated to lead to the belief that the person using the same is employed by or supplies goods to His Majesty or a member of the Royal Family.

5. The Government of India are disposed to think that penalisation on the lines of section 90 (2) of the English Patents and Designs Act, 1907, is neither necessary nor desirable in the present conditions of trade in India, where retail vendors are often ill-educated and ignorant men; and that, if legislation on this question is undertaken in India, it might take the form of an enactment somewhat similar to section 68 of the English Trade Marks Act, 1905, combined with a penal clause on the lines of section 20 of the English Merchandise Marks Act, 1887, to prevent the dishonest and fraudulent use of the Royal Arms by vendors and others.

6. I am to say that the Government of India would be glad to be furnished with the views of His Excellency the Governor in Council on this question, after consultation with the representatives of the principal commercial interests.

I have, etc.,

A. C. McWATTERS,

Under-Secretary to the Government of India.

Public,
No. 141.

India Office, London,
18th August 1911.

To

His Excellency the Right Honourable the Governor General of India in Council.

My Lord,

From Secretary, Royal Warrant Holders' Association, dated 29th June 1911, with enclosure.

I forward, for such action as Your Excellency's Government may think fit to take in the matter, a copy of a letter which I have received from the Secretary of the Royal Warrant Holders' Association with regard to the prevention of the improper use in India of the Royal Arms and Prince of Wales' Feathers.

2. The Lord Chamberlain has expressed his entire accordance with the proposal that the improper use by trading firms in India of the Royal Arms should be dealt with by legislation.

I have, etc.,
(Sd.) CREWE.

Royal Warrant Holders' Association to India Office.

8 Hanover Square, London, W.,
29th June 1911.

Sir,

The Royal Warrant Holders in India have approached this Association, through their representative, Mr. John Faletti, of Simla, a member of this Association, with a view to taking steps to prevent the improper user of the Royal Arms and Prince of Wales' Feathers in India.

At a meeting of the Committee of this Association held yesterday, I was instructed to inquire, and petition on their behalf, if it would be possible for you to instruct the Government of India in the Department of

Commerce and Industry to pass into law for India Act 5 Edward VII., Cap. 15, section 68 (Trade Marks Act, 1905, copy enclosed herewith), in order to enable the Royal Warrant Holders in India to take action against any firm making an unauthorised user of the Royal Arms, etc., and to so safeguard their interests and privileges.

I am desired by my committee to add that they would be most grateful if you would give this matter your kind consideration.

I am, etc.,

(Sd.) JAMES W. COLEMAN,

Secretary.

The Under-Secretary of State for India.

Annex.

Trade Marks Act, 1905.

(5 Edward VII., Cap. 15.)

Section 68.

Royal Arms.

68. If any person, without the authority of His Majesty, uses in connection with any trade, business, calling, or profession, the Royal Arms (or arms so closely resembling the same as to be calcutated to deceive) in such manner as to be calculated to lead to the belief that he is duly authorised so to use the Royal Arms, or if any person, without the authority of His Majesty or of a member of the Royal Family, uses in connection with any trade, business, calling, or profession, any device, emblem, or title in such a manner as to be calculated to lead to the belief that he is employed by or supplies goods to His Majesty or such member of the Royal Family, he may, at the suit of any person who is autherised to use such arms or such device, emblem, or title, or is authorised by the Lord Chamberlain to take proceedings in t at behalf, be restrained by injunction or interdict from continuing so to use the same : Provided that nothing in this section shall be construed as affecting the right if any of the proprietor of a trade mark containing any such arms, device, emblem, or title, to continue to use such trade mark.

Bombay, 10th June, 1912.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER
AND BUREAU,
Bombay.

To

R. D. Bell, Esq., I. C. S.,
THE UNDER-SECRETARY TO THE
GOVERNMENT OF BOMBAY.
Bombay.

SIR,

Under directions of the Committee of this Chamber I beg to send to you herewith their opinion on the subject of legislation with a view to preventing the improper use of the Royal Arms and Prince of Wales' Feathers in India as asked in your letter of the 6th February 1912.

The Committee do not think that the practice of using the Royal Arms without any warrant for the same has grown to such an extent as to necessitate legislation in that connection. But if the Government think that there is a necessity for legislation, the Committee will have no objection to legislation on the lines of the English Trade Marks Act, but they beg to observe that the penal clause on the lines of the English Merchandise Marks Act should not be introduced in this. Looking to the fact that the conditions in this country differ materially from those in England they are of opinion that the penal clause would press rather heavily upon the traders here, many of whom are ignorant of all the technicalities of Law.

The Committee also beg to point out that such a proposed legislation should not affect the use of genuine trade marks, containing any such arms, devices, emblem or title, which the proprietor has got a right to use.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary,

APPENDIX P.

Agricultural Statistics.

Bombay, 16th November, 1911.

From

THE SECRETARY

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,

BOMBAY.

To

THE HON'BLE MR. CLARK,

MEMBER FOR COMMERCE AND INDUSTRY,

SIMLA.

SIR,

With reference to the suggestion made to you by the Committee of this Chamber regarding Agricultural Statistics, I am directed to write this letter to you.

At present Wheat and Rice are the only foodstuffs estimates for the production of which are given in the statistics published by the Government. The Committee beg to suggest that estimates for the production of other foodstuffs also, such as Juar, Bajree, etc., should be given as they form a large part of the staple food of the people of this country. Not only that but as was found by the Committee in their investigation regarding high prices, want of these figures is sometimes found to bitiate the calculations and conclusions.

I beg to remain,

Sir,

Your most obedient servant,

J. K. MEHTA,

Secretary.

NO.8663-123.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

Simla, the 21st November, 1911.

(Commerce and Trade).

From

A. C. McWATTERS, ESQ., I. C. S.,

UNDER-SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,

77-79 Apollo Street,

Bombay.

SIR,

I am directed to acknowledge the receipt of your letter, dated the 16th November 1911, to the address of the Honourable Mr. W. H. Clark, C. M. G., regarding the preparation and publication of the estimates of the production of certain food crops in India.

In reply, I am to say that your letter will be submitted for the consideration of the Government of India.

I have the honour to be,

Sir,

Your most obedient servant,

A. C. McWATTERS,

Under-Secy. to the Govt. of India.

NO. 1327-123.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

Calcutta, the 12th February, 1912.

(Commerce and Trade.)

From

A. C. McWATTERS, Esq., I. C. S.,
UNDER-SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
77-79 Apollo Street,
Bombay.

SIR,

I am directed to refer to your letter, dated the 16th November, 1911, regarding the preparation and publication of certain additional estimates of production of food stuffs in India.

2. I am to say that estimates of production in the case of rice and wheat are prepared largely because of the importance of these crops in the export trade. The export of millets from India is at present inconsiderable in volume. The Government of India are therefore of opinion that the labour and expense of preparing estimates of production for such crops is not at present justifiable. I am in this connection to invite your attention to the enclosed statistics showing the total exports for India under these two heads for the last five years. In the circumstances the Government of India regret that they are unable to accept the suggestion made in your letter under reference.

I have the honour to be,
Sir,
Your most obedient,
A. C. McWATTERS,
Secy. to the Govt. of India.

Statement showing the total quantity and value of rice, wheat and millets (jawar and bajra) exported by sea from British India to foreign countries in the five years ending 1910-1911.

Articles.	Quantity.	Value.
	Cwts.	Rs.
Rice (husked & unhusked)	194, 415,642	96,22, 30,365
Wheat	82,167,743	42,84,68,952
Millets (jawar & bajra)	3,711,058	1,42,91,940

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY

To

A. C. McWATTERS Esq., I, C. S.,
UNDER SECERETARY TO THE GOVERNMENT OF INDIA.
Department of Commerce and Industry,
Calcutta.

Sir

I beg to acknowledge the receipt of your letter of the 12th instant,

The Committee of this Chamber regret that the Government of India are unable to accept the suggestion made by them in their letter dated the 16th November 1911, on the ground that estimates of production of some food crops are given mainly because of the importance of these crops in the export trade. They see no reason why this should be specially as such figures of estimates of food crops would be extremely interesting with reference to the internal consumption and would prove much useful in all inquiries relating to increased prices for foodstuffs. My Committee beg to think that millets form one of the principal staple foods of a large portion of the public and that inquiries instituted for instance by the Government

of India regarding the high prices of foodstuffs would have gained much had there been available also estimates of production of millets. The Committee beg therefore to approach the Government again with a request that their suggestion may be accepted and that not exports only but but internal consumption may be considered of sufficient importance to publish figures relting to food crops.

I beg to remain,
Sir
Your most obedient servant,
J. K. MEHTA.
Secretary.

No. 2161-123.
Government of India.
Department of Commerce and Industry,
Calcutta, the 11th March, 1912.
(Commerce and Trade).

From
A. C. McWATTERS, ESQUIRE, I. C. S.,
UNDER-SECRETARY TO THE GOVERNMENT OF INDIA,

To
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
77-79 APOLLO STREET, BOMBAY.

Sir

I am directed to acknowledge the receipt of your letter dated the 5th March 1912, regarding the preparation and publication of certain addi-

tion estimates of production of foodstuffs in India and to say that it will be submitted for the consideration of the Government of India.

I have the honour to be,

Sir,

Your most obedient servant,

A. C. McWATTERS,

Under-Secretary to the Government of India.

Department of

Commerce and Industry,

Bombay, the 28th March, 1912.

(Bombay Secretariat, General Deptt.)

Dear Sir,

With reference to your letters dated the 5th instant, regarding the publication of certain additional estimates of production of foodstuffs in India, I should be glad to know whether your Committee will explain their requirements more fully to me while I am at Bombay, *i. e.*, up to the 12th April next.

Yours faithfully,

R. E. ENTHOVEN.

Secretary to the Government of India.

To

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER

AND BUREAU.

Representation re-certain statistics of Food-crops like Jawar, Bajra, etc.

18th April 1912,

Bombay.

To

R. E. ENTHOVEN, Esq., I. C. S.,
SECRETARY TO THE GOVERNMENT OF INDIA,
COMMERCE AND INDUSTRY DEPARTMENT,
SIMLA.

Sir,

At the interview which you were pleased to give to the Committee of this Chamber on the 9th inst, you asked after the discussion that the exact requirements of the Chamber in the matter of statistics relating to the production of food-crops like Jawar, Bajra etc., should be sent to you in writing. At that interview the Committee stated that they would not press for the forecasts of Jawar, Bajra etc. as you stated it was almost an impossible task, but the Committee particularly wish that these figures of the outturn of these crops should be given in the Government Blue-books, as they being the staple food of a large portion of the population such statistics would be very useful in any inquiry relating to the condition of the people. I may be allowed to draw your attention to the fact that such figures are already given for the Bombay Presidency in the statement of the Season Crops published by them. The Committee beg to hope that their request will be granted.

I beg to remain,
Sir
Your most obedient Servant,
J. K. MEHTA,
Secretary.

No. 3160-123.

Government of India.

Department of Commerce and Industry.

(Commerce and Trade.)

From

A. C. McWATTERS, Esq., I. C. S.,

UNDER-SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,

77-79 APOLLO STREET,

BOMBAY.

Sir,

I am directed to acknowledge the receipt of your letter, dated the 18th April 1912, regarding the publication of statistics of the outturn of Indian food crops, and to say that it will be submitted for the consideration of the Governmewt of India.

I have the honour to be,

Sir,

Your most obedient servant,

A. C. McWATTERS,

Under-Secretary to the Government of India.

No. 4836-123.

Government of India.

Department of Commerce and Industry.

(Commerce and Trade).

Simla, the 24th June, 1912.

From

A. C. McWATTERS, ESQ., I C. S.,

UNDER-SECRETARY TO THE GOVERNMENT OF INDIA.

To

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,

77-79, APOLLO STREET,

BOMBAY.

SIR,

In continuation of my letter No. 3160-123, dated the 23rd April 1912, on the subject of the proposal of the Indian Merchants' Chamber and Bureau that statistics should be published showing the out-turn of certain food crops such as juar, bajra, etc., I am directed to say that such statistics are already supplied by the Provinces of Bombay, the Punjab and Burma in their Season and Crop Reports, and that the Local Government of other Provinces in which the cultivation of the crops in question is sufficiently large to justify their publication are being asked to give similar figures of total out-turn in their Season and Crop Reports unless substantial difficulties are anticipated in adopting this course.

I have the honour to be,

Sir,

Your most obedient servant.

A. C. McWATTERS,

Under Secy. to the Govt. of India.

APPENDIX Q.

Regulations concerning the make-up of imported grey and bleached yarns.

Revenue Department.

Bombay Castle, 26th February, 1912.

From

R. D. BELL, ESQUIRE, I. C. S.,
UNDER-SECRETARY TO THE GOVERNMENT OF BOMBAY,

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY,

SIR,

I am directed to forward copies of a letter No. 742-744-6, dated 20th January 1912, from the Government of India, and of its accompaniments, on the question of the modification of the existing regulations concerning the make-up of imported grey and bleached yarns and the reduction permissible in the count of the latter, and to request you to favour Government with the opinion of the Chamber on the proposals contained in paragraphs 4 and 5 of the letter from the Government of Burma, No. 483-3c-24, dated 27th November, 1911.

I have the honour to be,

Sir,

Your most obedient servant,

R. D. BELL,

Under-Secretary to Government

Government of India.

Department of Commerce and Industry.

(Merchandise Marks Act.)

No. 742–744-6, dated 20th January 1912.

To

THE CHIEF SECRETARY TO THE GOVERNMENT OF BOMBAY,

REVENUE DEPARTMENT.

Sir

I am directed to forward a copy of the papers noted in the margain regarding the make-up of grey and bleached yarns and the reductions permissible in the latter, and to request that, with the permission of His Excellency the Governor in Council, the Government of India may be furnished with the views of the Local Government on the proposals recommended in paragrapes 4 and 5 of the Burma Government's letter No.483—3c.—24, dated the 27th November 1911, after consultation with the Bombay Chamber of Commerce and other associations affected by the proposed modifications in existing practice.

(1) Letter from the Govornment of Burma No. 206—ic—3 dated the 11th January 1909 and 1 enclosures.
(2) Letter to the Government of Burma No 4088—I dated the 6th June 1909.
(3) Letter from the Glasgow Chamber of Commerc to His Majesty's Secretary of state for India dated the 28th August 1911
(4) Letter from the Government of Burma No 483—3c —24. dated the November 1911 and enclosures

I have, etc.,

A. C. McWATTERS,

Under Secretary to the Government of India.

Rejection of a proposal of the Government of Burma that the importation of grey yarn in bundles made up in certain special forms may be permitted.

No. 206...IC....3, dated Rangoon, the 11th January 1909.

From

G. F. ARNOLD, ESQ., I. C. S.,
REVENUE SECRETARY TO THE GOVERNMENT OF BURMA

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF COMMERCE AND INDUSTRY.

I am directed to sumbit a copy of a letter with four enclosures from the Chief Collector of Customs, Burma, to the Financial Commissiioner, Burma, concerning the inerpretation of Instructions III and IV of the instructions to Criminal Courts issued in the Home Department Notification No. 1474 of 1891, and to solicit the orders to the Government of India thereon.

Letter No 3775—3A—12 dated the 29th August 1908

2. The proposal of the Chief Collector of Customs, which are approved by the Financial Commissioner, relate to the questions whether it is permissible...

(*a*) in the case of dyed cotton yarn to sub-divide the standard hank of 840 yards, provided that either the number of knots consisting of these fractions of the hank or the number of these fractions of the hank be multiplied in proportion, and

Instruction IV

(*b*) in the case of grey or bleached cotton yarn to make up the bundle to which the trade description applies of a number of knots containing groups of hanks different from those

Instruction III (c), (d) and (e),

specified in Instruction III (*c*) (*d*) and (*e*) (*viz.*, 5, 10, 20 and 40 hanks), provided that the number of knots in the bundle be varied proportionately. The Chief Collector recommends that no sub-division of the hank in regard to its length should be allowed, lest fraud should be facilitated, but he considers that in the latter of the two cases it would be desirable to give greater latitude of sub-division. He recommends that no variation of the strict rule in Instruction IV should be permitted, but as the question has been raised in practice, he asks for orders on the subject.

3. The Lieutenant-Governor is of opinion that, for the reason stated by the Chief Collector, any division of the length of the hank should be countenanced. As regards the case of grey or bleached cotton yarn, His Honour understands that the number of hanks in a bundle is equal to the weight of the bundle in pounds avoirdupois multiplied by the count of the yarn, and consequently the number of hanks in a knot is equal to the weight of the bundle in pounds avoirdupois multiplied by the count and divided by the number of knots in the bundle, and in theory this relation is capable of infinite variation according as the weight is changed and the numbers of hanks and knots is varied inversely. It has, however, been explained by the Chief Collector of Customs that it is the invariable custom of the trade to pack yarn in bundles of 5 or 10 lbs. avoirdupois. Further, the Chief Collector of Customs has reported that it is not desired to introduce more than a limited number of variations in the relation of knot and hank, being those only which are actually in use according to the customs of the import trade in Rangoon, although it is uncertain whether they are permissible under a strict interpretation of the instructions.

4. Under Instruction III (*e*) a 10-lb. bundle of yarn of a count over 50 may be made up either of—

$\frac{1}{2}$ x knots of 29 hanks each, or

$\frac{1}{4}$ x knots of 40 hanks each,

where x symbolises the count of the yarn ; similarly a 5-lb. bundle may be made up either of—

$\frac{1}{4}$ x knots of 20 hanks each, or
$\frac{1}{8}$ x knots of 40 hanks each.

The custom of the trade, however, is in the former case to compose the bundle of knots of 10 hanks each and in the latter of knots of 5 hanks each.

But this composition (x knots of 10 hanks or of 5 hanks each in the respective cases) is apparently not permissible under the present instruction.

5. Again, under Instruction III (c) a 10-lb. bundle of yarn of any count under 50 may be made up of—

(1) $\frac{x}{2}$ knots of 20 hank each, or

(2) 4 knots of 10 hanks each, or

(3) 2 x knots of 5 hanks each,

the value of x being the same as before. It is understood that the second of these is the customary composition, but the Chief Collector of Customs advises that importers make up bundles of yarn of the smaller counts of knots of 2 and 3 hanks alternately *i.e.*, the bundle consisting of 4 x knots of 2 and 3 hanks alternately as a 5-hank knot, of the smaller counts would be large and unwieldy in handling. But this would not be permissible under the present instruction. Similarly under Instruction III (d) 5-lb. bundles of yarn of counts under 50 may be made up only as —

$\frac{x}{4}$ knots of 5 hanks each,

but the customary composition is stated to be...

x knots of hanks each,

which is not recognised by the instruction. For the reasons stated above in the case of yarn of a small count the convenient make-up for an importer is in knots of 2 and 3 hanks alternately, and the Chief Collector of Customs recommends that this make-up also should be recognised in the instructions (*i.e.*, the bundle consisting of 2 x knots of 2 and 3 hanks each).

(6) The Lieutenant-Governor accepts the statements of the Chief Collector of Customs as to the customs of the trade, and concurs in his opinion that it would be advisable and unobjectionable to meet the wishes of importers of yarn by giving authoritative recognition to the few extra variations explained above, which have been brought into actual use by reason of their convenience, and which, as His Honour is advised, cause no extra labour to the Custom Officers.

(7) I am therefore to recommend that orders may be issued definitely prohibiting any sub-division of the hank as regards length, and that the rules contained in Instruction III (c) (d) and (e) may be expanded so as to include the additional modes of make-up described in paragraphs 3 to 5 *ante*.

No. 3775—3A.—12, dated the 29th August 1908.

From

A. S. JUDGE, Esq., Chief Collector of Customs, Burma.

To

The Assistant Secretary to the Financial Commissioner, Burma.

I have the honour to request you to move the Local Government to forward, for the orders of the Government of India, the following questions which have arisen here in connection with the interpretation of Instructions, III and IV of the Notification of the Government of India in the Home Department, No. 1474 (Judicial), dated the 13th November 1891 :—

(1) Instruction III (c) requires that in the case of a bundle of grey or bleached cotton yarn of any count under 50, described as being 10 lbs. in weight, the number of knots of 20 hanks each must be half, or the number of knots 10 hanks each must be the same as, and the number of knots of 5 hanks must be double, the described count or number of the yarn. Instruction III (d) requires that in a bundle of grey or bleached cotton yarn of any count

under 50 described as being 5lbs. in weight, the number of knots of 20 hanks each must be a quarter of the prescribed count or number of the yarn. It is permissible to make up a bundle in a manner which is not specified in these instructions, e. g., can No. 6 s. or No. 8 s. grey cotton yarn, made up into 10-lb. bundles and bearing specific indication of their count be passed when each bundle contains four times as many knots of $2\frac{1}{2}$ hanks and 2 or 3 hanks alternately, as the described count of the yarn? Or again, can yarn of any count under 50 in 5-lb bundles be made up in knots containing 10 or 5 hanks each, the number of knots being increased in a corresponding ratio in either case? If so how far can this sub-division be extended in either direction?

(2) Similarly as regards Instruction III (c) for yarns of an count from 50 upwards, can the number of hanks in a knot be reduced to 10 or 5, the number of knots being increased in a corresponding ratio If so, is there any limit to the sub-division ?'

(3) Instruction IV requires that a trade description of count or number applied to a bundle of dyed cotton yarn shall be accepted as indicating length only, the hank being taken to measure 840 yards, and that it shall be deemed to be false in a material respect, if the average length of the hanks in a bundle is less than 819 yards. Can dyed cottonyarn be passed if it is made up in a half hanks, each containing between $409\frac{1}{2}$ and 420 yards? If so, can the sub-division of the hank be extended further, provided that, as is done in the case of the yarn made up in half hanks, the number of knots of the fractional hanks is correspondingly increased so that the total length of the yarn in the bundle is correct?

(2) Both these questions have arisen here lately, and I have had to take action in a recent case in connection with dyed yarn imported in half hanks each containing seven half leas of from $58\frac{1}{2}$ to 60 yards. In my opinion no sub-division of the hank is allowable, and from enquiries I have made and from correspondence

submitted by firms for my perusal, I believe that this view is accepted by both manufacturers and importers. I enclose copies of extracts from four letters A, B, C and D. Extracts A and B are from a high class firm of manufacturers at home and speak for themselves. Extracts C and D are from the firm who import the "3-Combs" yarn referred to in Extracts A and B, the importation of which has been stopped by me acting on information duly received. These extracts clearly show that in the opinion of the importers half hanks are not permissible.

3. The questions, so far as I am aware, have not been raised hitherto, and as they are important I therefore request that the orders of the Government of India may be obtained on them.

In the interest of honest trading, I am convinced that the retention of the hanks of 819 or 840 yards is absolutely necessary. Cases have occurred here where dyed yarns have been short-reeled by as much as 37 per cent, and grey yarn by 30 per cent., and if it is possible to pass such short-reeled hanks as full hanks, I do not think unscrupulous traders would let slip an opportunity of at any rate attempting to pass full length half hanks off as full hanks. The other question of the make-up of grey yarn is not so important; but I find that yarns are being imported in knots holding fewer hanks than are allowed under the instructions, e. g., 20s yarn is imported in 5-lb bundles containing 20 knots of 5 hanks and 60s. yarn in 5lb bundles of 60 knots of 5 hanks. In both these cases the make-up is not included in the instructions, but is the custom here, where the count of yarn, both dyed and grey, has till recently been invariably considered by dealers to be the same as the number of knots in a bundle. I think that perhaps Instruction III (c) (d) and (e) might be extended so as to legalise these smaller knots. The integrity of the hank should however, be maintained.

Extract A.

(3-Combs) T. Red.—This is very poor quality of yarn and curiously it is reeled in half hanks, or at least presumably intended for half hanks as they are considerably shorter than ought to be. The colour is somewhat dull. We are arranging for a few bales of 10s. to be sent to you to compete with this quality. We will, however, make the hanks

genuine full length, and the fact we are of opinion that if the Customs authorities knew about the half hanks being imported under "3-Combs", they would take action as it is a contravention of the Merchandise Marks Act. From information we have received we understand that the grey yarn for this quality is spun in Bombay, and therefore like many other Bombay spinnings is of a very inferior and unreliable nature.

Extract B.

10s Turkey Red).—We regret to learn of the trouble owing to make-up.

Please refer to our letter to you dated 16th January last in which we point out the reason for sending full length hanks, as in British markets the standard length of hank must be adhered to otherwise the Custom authorities have power to confiscate the goods. We think the proper course would be for you to draw the attention of the Customs to the "3-Combs" goods and ask them to give a permit in writing stating that hanks of half length are passable. This would make them either stop the importation of half hanks or legalise same. Our goods are at present in conformity with legal requirements, and we could not overstep same without having a decision from the Customs authorities regarding the matter.

Extract C.

We have the honour to state that until we received the above mentioned communication we are not aware of the fact that the 62 bales No. 10s T. Red yarn ex s. s. Bhamo were put up in half hanks.

We have imported this yarn regularly since 1902, and always understood that same was made up in correct hanks of 819 yards.

We much regret that the bundle should be made up otherwise than in strict accordance with the requirements of the Marchandise Marks Act, and have the honour to request that you will be good enough to sanction the importation of the 62 bales per s. s. *Bhamo*, together with the completion of our order, namely, 2 bales due to arrive here per s. s. *Mandalay* without the imposition of any penalty,

In support of our *bona-fides*, we beg to enclose extracts of a letter on the same subject written by us in April last to one of our Home correspondents (not the shippers of the 62 bales in question).

We have further the honour to state that, should you wish any further information or details, we shall be only too willing to supply same.

Extract D.

[Extract from a letter written by to Amsterdam, dated 4th April 1908, in *re* bundling of T. red yarns.]

Half hanks of 420 yards are impossible. All hanks must be full. The Merchandise Marks and Sea Customs Act require that *all hanks be full 840 yards.* In the case of dyed yarns, an allowance of 2½ per cent. for shrinkage in dyeing is allowed, which brings the *absolute net minimum number of yards per hanks down to 819 for dyed yarns.*

This is a point on which dyers must be very strict, as recently there have been several convictions here in respect to short-reeled yarns coming round from Bombay.

No. 4088—1, dated Simla, the 9th June 1909.

From

B. ROBERTSON, Esq., C. I. E., I. C. S.,
SECRETARY TO THE GOVERNMENT OF INDIA.
DEPARTMENT OF COMMERCE AND INDUSTRY;

To

THE REVENUE SECRETARY TO THE
GOVERNMENT OF BURMA.

I am directed to acknowledge the receipt of your letter No. 206—1C. — 3, dated the 11th January 1909, in which you ask whether, under the instructions to Criminal Courts issued in the Home Department Notification No. 1474 of the 13th November 1891, it is permissible—

(1) in the case of dyed cotton yarn to sub-divide the standard hanks 840 yards, provided that either the number of knots consisting of these fractions of the hank, or the number of these fractions of the hank, be multiplied in proportion, and

(2) in the case of grey or bleached cotton yarn to make up the bundle to which the trade description applies of a number of knots containing groups of hanks different from those specified in clauses (c), (d) and (e) of Instruction III of the said instructions provided that the number of knots in the bundle be varied proportionately.

In regard to the first question, the Lieuteant-Governor is of opinion that no sub-division of the standard hank of 840 yards should be permitted, lest fraud should be facilitated. With regard to the second question, it is stated that yarns are being imported into Burma in bundles made up in certain special forms, and His Honour considers that the importation of these should be permitted, as the make-ups in question are recognised by the custom of the trade in Burma.

2. I am to say that the Government of India agrees with His Honour the Lieutenant-Governor that any sub-division of the standard hank of 840 yards should not be permitted in the case of dyed cotton yarn.

3. With reference to the second point, I am to say that the Government of India are informed that there are strong objections on general grounds to the importation of grey yarn made up in the modes referred to, and that, it allowed, it would in all probability lead to abuses and fraud. I am therefore, to request that, with the permission of His Honour the Lieutenant-Governor, the Customs authorities may be instructed not to permit the importation of yarns so made up in future.

Chamber of Commerce and Manufactures.

7, West George Street :

Glasgow, 28th August 1911.

My Lord,

The attention of the Directors of this Chamber has been directed to the Regulations recently issued by the Chief Collector of Customs, Burma, with reference to the make-up of grey and bleached yarns, and to reductions permissible in the latter,

The trade in yarns between Glasgow and Burma is of very considerable extent, and the enforcement of these Regulations will impose great hardship on importers of yarn generally, as they prohibit the make-up and reductions which have been customary in the Burma market for many years past.

The Directors would respectfully state that in their opinion the enforcement of the third Regulation of the Orders of the Chief Collector of Customs will tend towards dishonest stamping, and also that it is practically impossible to determine with any approach to accuracy the real grey count of bleached yarns, whether reduced or otherwise.

The Directors would therefore respectively (? respectfully) urge that the third of these Regulations be not enforced.

I am, etc.,
(Sd.) THOS. HENDERSON,
Convener of Foreign Affairs Committee.

The Right Hon. The Earl of Crewe, K. G.,
His Majesty's Secretary, of State for India,
India Office, Whitehall, London.
Government of Burma.
Separate Revenue Department.

No. 483—3C.—24, dated the 27th November 1911.

To

The Secretary to the Government of India,
Department of Commerce and Industry.

Sir,

I am directed to acknowledge the receipt of your letter No. 7268—6 dated the 29th September 1911, calling for a report and for the recommendations of this Government in the matter of a representation, made to the Right Honourable the Secretary of State for India by the Glasgow Chamber of Commerce, regarding certain regulations issued by the Chief Collector of Customs, Burma, concerning the make-up of imported grey and bleached yarns and the reductions permissible in the count of bleached yarns.

2. In reply I am to say that these questions had already been brought to the notice of the Local Government by the Burma Chamber of Commerce in a letter dated the 6th July 1911. A copy of that letter is appended as Annexure I. Attached to it are copies of the so-called "Regulations" referred to in the representations of the Glasgow Chamber, which was made at the instance of the Burma Chamber and is understood to be in substance the same. The samples of yarn alluded to in paragraph 5 of the Burma Chamber's letter are forwarded separately for inspection. It will be observed that the first two of the Chief Collector's "Regulations" (namely, memorandum No. 173—211-13A.—6 dated the 7th January 1911, and an amending memorandum No. 4010—3A.—6, dated the 23rd May 1911) are concerned, so far as objection is taken to them, with the conditions to be complied with in the reduction of the count of imported grey and bleached cotton yarn; the third (namely, endorsement No. 5365—5540-3A.—12, dated the 9th July 1909) relates to the make-up of grey and bleached yarn, and gives effect to the orders of the Government of India conveyed in your letter No. 4088-1, dated the 9th June 1909. The Burma Chamber, speaking with authority of the special conditions obtaining in Burma, protest that the enforcement of these orders would impose great hardship on importers of yarn, would upset the customary practice that has obtained for many years, would cause serious inconvenience to importers and retail traders alike, and would disorganise the whole trade in this Province. The Glasgow Chamber in effect put forward the same arguments, adding that the restrictive orders regarding make-up encourage dishonest stamping, and, as regards reduction, that check of the count is impossible in practice.

3. The Financial Commissioner, Burma, has been consulted on the complaints of the Burma Chamber of Commerce, and I am to submit as Annexure II a copy of his report in the matter, contained in his letter No. 789—1C.—37, dated the 23rd August 1911, which with its enclosures explains the case.

4. As regards the question of the make-up of grey and bleached cotton yarns, I am to invite a reference to paragraphs 2 and 3 of the Chief Collector's letter No. 5324—3A.—6, dated the 24th July 1911 (Enclosure 1 to the Financial Commissioner's letter, Annexure II), which

explain how the position occasioning the present protest has arisen. The case for greater elasticity in the make-up of bundles of grey and bleached yarn was stated in detail in Mr. Arnold's letter No. 206—1C.—3, dated the 11th January 1909. The proposals contained in that letter were not accepted at that time by the Government of India (*vide* letter No. 4088 —1, dated the 9th June 1909) who were advised that there were strong objections on general grounds to the importation of grey yarn made in the modes proposed by this Government, and that, if allowed, it would facilitate abuses and fraud. The Lieutenant-Governor is not aware of the nature of the general objections referred to by the Government of India. As regards the danger of fraud, I am to observe that the modes of make-up proposed for recognition in Mr. Arnold's letter quoted above have been recognised standards in the trade for many years, and that there is no reason to think that they have given rise to abuses or fraud. It appears from paragraph 7 of the Chief Collector's present letter (Enclosure I toAnnexture II) and from paragraph 2 of the Finan cial Commissioner's letter (Annexure II) that fraud would not be facilitated by the legalisation of these additional modes. The Glasgow Chamber even urge that the present state of things encourages dishonesty. It a ppears further that the limitation of the make-up to the modes at present legally permissible would give rise to serious inconvenience, both to the wholesale and to the retail trade. In these circumstances, and as it is evident that this trade is suffering or likely to suffer considerable harassment and is deeply concerned unless greater elasticity of make-up is permitted, the Lieutenant-Governor urges again that the existing conditions, which have grown up in adaptation to the needs of the Province, are convenient and give satisfaction to everybody and seemingly give rise to no abuses, may be legally recognised, even if such a step involves a departure from the practice current in India, as to which His Honour has no information. Sir Harvey Adamson is unable to see why in a matter like this there should not be a reasonable latitude so as to embrace the varying conditions of different Provinces. His Honour therefore supports the recommendations of the Burma Chamber of Commerce as embodied in Enclosure 3 to Annexure II.

5. The matter of reduction of the count of imported yarn is explained in paragraph 4 of the Financial Commissioner's letter (Annexure

II). It appears from paragraph 8 of the Chief Collector's letter (Enclosure 1 to Annexure II) and from the letter of the Burma Chamber to the Glasgow and Manchester Chambers (Enclosure 2 to Annexure II) that the representation of the Burma and Glasgow Chambers on this point is also for simple recognition of customs which have obtained in the Rangoon trade, apparently without objection from the Customs Department, for many years, In view of this fact, of the arguments of the Glasgow Chamber, and of the statements and recommendations contained in paragraph 4 of the Financial Commissioner's letter (Annexure II), the Lieutenant-Governor supports also the request of the Burma Chamber that reductions not exceeding 10 per cent. may be permitted.

I have, etc.,

R. E. V. ARBUTHNOT,

Revenue Secretary to the Government of Burma.

ANNEXURE I.

From W. R. STIKEMAN, Esq., Chairman, Burma Chamber of Commerce, Rangoon, to the Secretary to the Government of Burma, dated the 6th July 1911.

I have the honour to refer to the Notifications No. $\frac{5365}{5540}$—3A.—12, dated the 9th July 1909, and No. $\frac{173}{211}$—13A.—6, dated the 7th January 1911 (copies attached) issued by the Chief Collector of Customs, Burma, having reference to the make-up of grey and bleached yarns, and the reductions permissible in the latter.

2. My Committee venture to submit that these regulations impose a great hardship on importers of yarn, as they prohibit the make-up and reductions which have been customary here for the past thirty or forty years, and the necessity for introducing the changes is not apparent. It would appear that the established trade in grey and bleached yarns in Burma, in the packing still customary, was overlooked, and consequently not provided for, when Notification No. 1474, dated the 13th November 1891, was framed.

3. It should also be borne in mind that, owing to the geographical position of this Province, the conditions of trade therein have become separate and distinct from those obtaining in India, and should, in the opinion of this Chamber, be specially provided for.

4. The make-up prescribed for bleached yarns in 5-lb. bundles, as required by the Merchandise Marks Act, makes a most awkward and unsightly bundle, and if enforced will entirely disorganize the trade in these yarns in this market.

5. The following are submitted for your inspection :—

(*a*) A bundle of 30s grey yarn made up in the old method of 15—10 hank knots.

(*b*) A bundle of 30s grey yarn made up according to the Act in $7\frac{1}{2}$—20 hank knots.

(*c*) A bundle of 2-40s bleached yarn made up in the old method of 20 knots of 2 hanks and 20 knots of 3 hanks.

(*d*) and (*e*) Two bundles of 2/40s bleached yarns showing suppliers' attempts to evolve a neat bundle made up in the prescribed method of 5 knots of 20 hanks.

6. Bleached yarn is sold by the hank, not by the knot, and the new make-up renders it extremely difficult for retailers to sell less than 20 hanks at a time ; whereas formerly they could supply either two or three hanks, according to their buyers' requirements.

7. As regards the reduction of bleached yarns, whilst fully appreciating the necessity for a limit to the extent of reduction allowable, my Committee venture to suggest that this should be fixed at 10 per cent., which would permit the importation of the reductions which have been recognised and become a trade custom in this market for so many years *viz* :—

2/66s reduced to 2/60s.
2/55s reduced to 2/50s.
2/44s reduced to 2/40s.

8. In making the foregoing suggestions my Committee have, in conjunction with the various firms interested in this business, very care-

fully considered the requirements of this Province, and beg to request that the Local Government will give the points raised their very careful consideration and heaty support in again representing the matter to the Government of India.

It may be mentioned for your information that the matter is considered of such importance that this Chamber has sought the support of the Chambers of Commerce in London, Manchester and Glasgow.

Memorandum by A. S. JUDGE, Esq., Chief Collector of Customs, Burma, No. $\frac{173}{211}$—13A.—6, dated the 7th January 1911.

The Secretary of the Burma Chamber of Commerce and all yarn-importing firms are informed with reference to Government of India Notificatio n No. 1474, dated the 13th November 1891 (pages 11—13 of the Merchandise Act Manual) that :—

(1) One hank of two-fold cotton yarn is regarded as equivalent to two hanks of single yarn.

(2) The count number of two-fold cotton yarn is considered to be half the count number of the single yarn of which the two-fold yarn is composed, *e. g.*, 2/40s is considered $\frac{40s}{2}$ or count number 20s.

(3) Reduced cotton yarn will be passed, provided that they are distinctly marked as reduced, and comply with all the conditions required for the yarn of the lower count number.

Memoradum by A. S. JUDGE, Esq,, Chief Collector of Customs Burma,

No. 4010—3A.—6, dated the 23rd May, 1911.

In order to remove certain misunderstanding as regards the application of 3 paragraph of this office Circular $\frac{173}{211}$ 13A.—6, dated the 7th January, 1911, regarding the make-up of cotton yarns, the words

"Grey" and "Bleached" should be added after the word "Reduced" in the first line of this paragraph.

Endorsement by A. S. JUDGE, Esq., Chief Collector of Customs, Burma,

No. $\frac{5365}{5540}$—3 A.—12, dated the 9th July, 1909.

Copy of Government of India Commerce and Industry Department letter No. 4088—1, dated the 9th June 1909 (attached), is forwarded to the Secretary, Burma Chamber of Commerce, for information.

2. With reference to orders of the Government of India in paragraph 3 of their letter importation of grey and bleached cotton in bundles not made up in accordance with clauses (*c*), (*d*), (*e*) and (*f*) of Instruction III at pages 12 and 13 of the Merchandise Marks Act Manual will not be permitted on and after the 1st October, 1909.

ANNEXURE II.

From S. G. Grantham, Esq., I. C. S., Assistant to the Financial Commissioner, Burma, to the Revenue Secretary to the Government of Burma, No. 789—I. C.—37, dated the 23rd August 1911.

In reply to your letter No. 1084-M,—3G.—24, dated the 28th July 1911, regarding the regulations prescribed for the make-up of imported grey and bleached yarns, I am directed to submit a copy of a letter No. 5324—3-A.—6, dated the 24th July 1911, from the Chief Collector of Customs, Burma, on the subject, a copy of a letter from the Burma Chamber of Commerce to the Chambers of Commerce at Manchester, London and Glasgow, and a copy of the amendments to the Indian Merchandise Marks Manual which were suggested by the Burma Chamber of Commerce to deal with the difficulty and which were mentioned to the Hon'ble Mr. C. G. Todhunter while he was in Burma.

Enclosure I.

Enclosure 2.

Enclosure 3.

2. For yarns whose count exceeds 50 various methods of packing 5-lb. or 10 lb. bundles are permitted by Notification No. 1474, dated the 13th November 1891, under the Merchandise Marks Act. ; but in Burma where only the 5-lb. bundles of yarns whose equivalent count is less than 50 are used, only the packing prescribed in Rule III *d* is admissible. There seems however, no reason why the packing of 5-lb. bundles sdould be more restricted than that of 10-lb. bundles. Presumably the intention in the rules is to prevent fraud ; but in practice the method of packing makes no difference to the difficulty of detecting this. To measure the yarn in a 5lb. bundle of count 40 would occupy two men several days ; the tests really available (if it is desirable in any case to make a test) are (1) to determine the count by weighing a short length of the yarn and (2) to weigh the whole bundle. These two observatios being made, any attempt to make the hanks consistently of short length can be detected. No fraud which could be checked by counting the hanks is at all likely to be attempted ; the risk of its detection is far too great and the importer's business would not long survive after the retail purchasers opened out their bundles. The Chief Collector of Customs agrees that the prescribed methods of packing afford no aid in the prevention of fraud ; so long as hanks may not be subdivided, it is a matter of indifference how they are grouped in knots in the bundle.

3. On the other hand, the prescribed knots are of a size inconvenient for retail dealers, while they can only be made into bundles which are unsightly, awkward to handle and inconvenient to store in the shops.

Actual experience shews that when a knot of 20 hanks has been opened once or twice to remove a portion it becomes so entangled that the separation of further hanks is a matter of great difficulty. The Chairman of the Chamber of Commerce desires that permission may be given to pack in knots of 10 hanks or, in the case of bleached yarns in knots of 2 or 3 hanks (proposed clause III*d*) so long as the total number of hanks in the bundle is correct, thus legalising the present practice in Burma. It is evident that if the practice in Burma is different from that other parts of India, the importers must have stroag reasons for undertaking the arrangement of special packing systems at the factories;

while if the practice in Burma is the same as that in other parts of India the law should be widened, unless there are strong s objection to admit that practice. The table given at the end of the letter to the Secretaries of the Manchester, London and Glasgow Chambers of Commerce, of which a copy is enclosed, shews that the packing prescribed by the Merchandise Marks Manual resulting as it does in broken knots leaves much to be desired.

Enclosure 2.

4. The second portion of the application deals with the reductions permissible in bleached yarns. The " reduction of a count " is a term not defined in the Merchandise Marks Manual but its meaning is that if yarn of one count is packed in the manner prescribed for yarn of a lower count, the bundle is said to have a count reduced to this lower number. Articles III*a* and III*f* of the Notification No. 1474, above referred ' to by limiting the deficiency in the weight of the bundle, limit the "reduction " permissible in the packing, So long as the yarn is clearly and distinctly labelled as of a reduced count there seems to be no objection to this. In practice the labels on the bundles shew both the true count of the yarn and the count to which it is " reduced" ; and the meaning of the labels is quite well known to all concerned. Counts which would be very akwward to pack under the ordinary rule can be packed very conveniently in many cases as " reduced counts" ; hence the trade custom and the provision for it in the Rules. The present application is for the admission of a larger reduction than the rules now admit ; namely, one-eleventh of the true count instead of one-fortieth to three-fortieths (according to the count) as fixed by the scale in Rule III*f*. Again, the proposed amendment, of the rules appears to give no facility for fraudulent dealings, provided clear labels are used.

5. The Financial Commissioner therefore supports all the requests of the Merchants in substance. He does not consider it worthwhile to attempt an improvement in their wording, as he assumes that the Government of India will take the views of merchants in the other large ports before passing orders.

(ENCLOSURE I.)

From A. S. JUDGE, Esq., Chief Collector of Customs, Burma, to the Assistant Secretary to the Financial Commissioner, Burma, No. 5321—3A.—6, dated the 24th July, 1911.

With reference to the correspondence regarding yarn ending with your endorsement No. 1120—I.C.—23, dated the 30th June 1909, I have the honour to forward herewith copy of certain correspondence received from the Secretary of the Rangoon Chamber of Commerce on the same subject, and to state the facts of the case.

2. In view of Rule 6 at page 10 of the Merchandise Manual cotton grey and bleached yarns were not examined for make-up of bundles until July 1908 when we received information against certain firms. This led to enquiries being made of the various Customs Collectors in India as to their views and practice with regard to imported cotton yarn put up in half hanks, and to bundles of yarn which, while containing the prescribed total number of whole hanks per bundle, are made up differently to the methods specified in clauses (c) to (e) of Instruction III of Notification No. 1474, dated the 13th November 1891 (page 11 of the Merchandise Marks Manual). As the replies from the various Collectors showed diversity of views and practice, the question was referred for the orders of the Government of India, *vide* my letter No. 3775—3A.—12, dated the 29th August 1908, to you in which I recommended that the long existing trade methods of make-up of the bundles, though not strictly in accordance with those in the notification referred to above, might be allowed to continue, provided the yarn was put up in whole hanks, and that the total number of such whole hanks was correct according to the regulations.

3. In their reply conveyed to me in your office endorsement No. 1120—I C.—23, dated the 30th June 1909, the Government of India supported my objection to the yarn being put in half hanks, but disallowed the make-up of bundles as recommended by me.

4. Again, in October and November 1909 enquiries were received from local yarn importers as to the treatment for purposes of Notification No. 1474, dated the 13th November 1891, of two-fold or doubled cotton

yarns, and of reduced yarn, neither of which was expressly provided for in the notification. In reply to their enquiries the attached circular (marked A) was issued by me on the subject.

5. As the position now stands, the various points raised from time to time have been settled, so far as this office is concerned, by the following decisions:—

(I) Grey and bleached cotton yarns in bundles must be made up in accordance with the various methods prescribed in Instruction III of Notification No, 1474, dated the 13th November 1891.

(II The knots of yarn in the bundle must be composed of whole hanks of the prescribed length, the employment of two half-hanks, as the equivalent of one whole hank, being disallowed.

(III) Reduced yarns will be passed provided that they are distinctly marked as reduced, and comply with all the conditions required for the yarn of the lower count indicated in the marking.

(IV) For the purposes of the rules under the notification the count number of two-fold or doubled yarns is considered to be half the count number of the single yarn of which the two-fold yarn is composed, *e.g.*, 2-40S is considered to be $\frac{40\,s}{2}$ or count No. 20s; and one hank of two-fold o doubled yarn is equivalent to two hanks of the single yarn.

6. The local yarn importers, however, not being satisfied with all the decisions mentioned above, a deputation of four members of the Rangoon Chamber of Commerce representing the local cotton yarn trade waited on me to discuss modifications of the regulations embodied in Indecisions (I) and (III). They finally decided to represent their case to the Government of India through the Local Government and, on the representation of the Chamber, I agreed to hold in abeyance for another six months the regulations on the subject. The nature and extent of the

modifications asked for (as specified in their letter on the subject to the Secretary to the Government of Burma) are as follows :—

(*a*) That the various methods of the make-up of bundles of cotton grey and bleached yarns prescribed in clauses (*c*) to (*e*) of Instruction III may be extended to cover the customary trade methods of make-ups with special reference to yarn in 5-lb. bundles and of counts under No. 50s. which, under the only one method of make-up prescribed, results in awkward and unsightly bundles and inconveniently large knots of 20 hanks each.

(*b*) That the scale of allowances for the reduction of bleached yarns prescribed under clause (*f*) may be modified so as to allow a uniform reduction within a limit of 10 per cent. for all count numbers.

7. In previous references to the Government of India we have recommended the concession asked for in (*a*), and I am of opinion that provided the yarn is put up in whole hanks and the total number of such whole hanks in the bundle is in accordance with the regulations, there is no risk of fraud.

8. With reference to the concession regarding reduced yarn asked for in (*b*), I am not prepared to offer any opinion, but I may state that it has been the custom of the trade here to import—

2-66s reduced to 2-60s.
2-55s reduced to 2-50s.
2-44s reduced to 2-40s.

From J. Whitton, Esq., Secretary, Burma, Chamber of Commerce, Rangoon, to the Chief Collector of Customs, Burma, dated the 6th July 1911.

With reference to the interview with which you were kind enough to favour four members of the Chamber recently to discuss the regulations issued by you a short time ago regarding the make-up of grey and bleached yarns and the reductions permissible in the latter, I have the honour to inform you that, as a result of the report submitted by the four

members in question, the Committee have addressed the Local Government and the London, Manchester and Glasgow Chambers of Commerce on the subject.

I am instructed to forward for your information copies of these letters, and to say that the Committee would be much obliged if you could see your way to hold the regulations referred to above in abeyance for a further period of six months, when it is hoped the matter may be definitely settled.

[ENCLOSURE 2.]

From J. Whitton, Esq., Secretary, Burma Chamber of Commerce, to the Secretary, Manchester, London and Glasgow Chamber of Commerce.

dated the 5th July 1911.

I beg to attach hereto copies of two* regulations recently issued by the Chief Collector of Customs, Burma, having reference to the make-up of grey and bleached yarns and the reductions permissible in the latter.

* Enclosure A and a correction now embodied in it.

The enforcement of these regulations imposes a great hardship on importers of yarn generally and will completely disorganise the trade, as they prohibit the make-up and reductions which have been customary in this market for the past thirty or forty years, and the necessity for rigidly enforcing the Merchandise Merchandise Marks Act is not apparent.

As you will understand the make-up presribed by the Act for bleached yarns in 5-lb. bundles makes a most awkward and unsightly bundle, and as these yarns are sold by the banks, the small retailer is unable to sell less than 20 hanks at a time, whereas formerly he could supply either two or three hanks according to his buyer's requirements. It should be noted that only 5-lb. bundles are taken by the trade here.

Importers quite appreciate that some restriction is necessary regarding the reduction of bleached yarns, but suggest that this be fixed at 10 per cent. which would permit the importation of the reductions which

have been recognised and become a trade custom in this market for so many years, *viz* :—

2-66s. reduced to 2-60s.
2-55s. reduced to 2-50s.
2-44s. reduced to 2-40s.

This Chamber has addressed the Government of Burma on the subject, and the question will no doubt have to be submitted to the Government of India, and the Committee would be much obliged if you could see your way to address the India Office direct supporting their representation.

For easy reference I tabulate below particulars of th make-up and reduction customary in this Province and those prescribed by the Merchandise Marks Act.

Make-up of Grey aud Bleached Yarns.

As customary in this market.	As precribed by the Merchandise Marks Act.
30s Grey 15 knots of 10 hanks ...	7½ knots os 20 hanks ... — 150
40s Grey 20 knots of 10 hanks ...	10 knots of 20 hanks ... — 200
2/40s Bleached (reduced 2/44s) ...	Reduced 2/42s.
40 knots { 20 knots of 3 hanks ... / 20 knots of 3 hanks...	5 knots of 20 hanks ... — 100
2/50s Bleached (reduced 2/55 ...	Reduced 2/52s.
50 knots { 25 knots of 2 hanks ... / 25 knots of 3 hanks ...	6¼ knots of 20 hanks ... — 125
2/60s Bleached (reduced 2 66s) ...	Reduced 2/63s.
60 knots { 30 knots of 2 hanks ... / ... / 30 knots of 3 hanks...	7½ knots of 20 hanks ... — 150

(ENCLOSURE 3.)

Propoced amendments of, and additions to, the Indian Merchandis Marks Act, 1889 (as amended by Act IX of 1891).

Pages 12 and 10 of the Merchandise Marks Manual.

Clause III a.—The described count or number is greater or less than the actual count or number by more than 5 per cent, provided that the average count of the whole of the yarn in question is not greater or less

than the described count. The described count in the case of red uced bleached yarns being held to be the higher number, provided the reduction does not exceed 10 per cent, in count and is clearly indicated on the bundles; or

Clause III d ---In a bundle of yarn of any count under 50 described as being 5lbs in weight, the number of knots of 20 hanks each is not a quarter, or the number of the knots of 10 hanks each is not half of the described count or number of the yarn.

In the case of bleached yarns the number of knots of 2 hanks and 3 hanks in equal proportions is not double the lower count number indicated on the bundle; or

Clause III f. ---In the case of bleached yarn, the described weight exceeds the actual weight by more than---

$7\frac{1}{2}$ per cent. in counts from 1 to 8.

5 per cent. in counts fram above 8 to 18.

4 per cent in counts from above 18 to 30.

$2\frac{1}{2}$ percent. in counts from above 30 to 80.

But in the case of reduced yarns, as described in clause "a", double the above margins may be allowed.

10th June, 1912.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To

R.D. BELL ESQ., I.C.S.,
UNDER SECRETARY TO THE GOVERNMENT OF BOMBAY,
BOMBAY.

Sir,

Referring to your letter of the 26th February 1912, bearing No. 2001 of 1912, I have now the honour by direction of the Committee to convey to the Government their opinion on the question of the

modification of the existing regulations concerning the make-up of imported grey and bleached yarn and the reduction permissible in the count of the latter.

It is proposed by the Government that some changes and amendments should be made in the Merchandise Marks Act, 1889.

These changes are:—

(Pages 12 and 13 of the Merchandise Marks Manual) Clause IIIa. The described count or number is greater or less than the actual count or number by more than 5%, provided that the average count of the whole of the yarn in question is not greater or less than the described count. The described count in the case of reduced bleached yarns being held to be the higher number, provided the reduction does not exceed 10% in count and is clearly indicated in the bundles; or

Clause III d.:—In a bundle of yarn of any count under 50 described as being 5 lbs. in weight, the number of knots of 20 hanks each is not a quarter, or the number of knots of 10 honks each is not half of the described count or number of the yarn.

In the case of bleached yarns the number of knots of 2 hanks and 3 hanks in equal proportions is not double the lower count number indicated on the bundle; or

Clause III f.:—In the case of bleached yarn, the described weight exceeds the actual weight by more than.

$7\frac{1}{2}$ in counts from 1 to 8.

5 in counts from 8 to 18.

4 in counts from above 18 to 30.

$2\frac{1}{2}$ in counts from above 30 to 80.

But in the case of reduced yarns, as described in clause "a" double the above margins may be allowed.

With regard to Clause III a, the Committee are of opinion that it is inadvisable to add the new matter relating to the reduced bleached yarn and that therefore the original clause of the Merchandise Marks Act should be allowed to remain undisturbed;

With regard to Clause III d, the Committee approve of the suggestion made and would add before the words "the described count or number of yarn" in the third and fourth lines of this clause:—the words "or the number of knots of five hanks each is not the same as." The Committee disapprove of the suggested additional paragraph to this clause with regard to Clause III f. the Committee are of opinion that no change is necessary.

I beg to remain,
Sir;
Your most obedient servant,
J. K. MEHTA,
Secretary.

APPENDIX R.

The Railways Question.

The Grain Merchants' Association,
Masjid Bunder Road,
Mandvi,

Bombay, 17th February, 1912.

No.

To

THE PRESIDENT,
RAILWAY BOARD,
SIMLA.

Sir,

By direction of the Committee of the Grain Merchants' Association I beg to enclose the copy of a correspondence that passed between the Association and the General Traffic Manager of the Great Indian Peninsula Railway, with a request that something

be done in the line of sanctioning construction of adequate number of wagons (for goods) for the G. I. P. and connected Railways.

The admission in the General Traffic Manager's letter that *the wagons are hardly sufficient to deal with the traffic in an ordinary season* is enough to make the point clear.

On account of shortage of wagons, trade of Bombay is being hampered for the last three or four years and the neglect to remedy the deficiency introduces an element of ruin to the many traders, who could not perform their forward contracts in time, although they have sufficient stock in the interior for movement to this port, and which they are obliged to dispose of at a loss after the delivery time is over, besides having had to pay for non-performance of their contracts in the shape of damages.

It is of paramount importance to look into the needs immediately and I have therefore the honour to request you to move in the matter for making adequate provision of goods-wagons.

I have the honour to be,
Sir,
Your most obedient servant,
(Sd.) LUKHAMSEY NAPPOO.
Chairman.

(Sd.) LALSHANKER HARPRASAD
For Hon. Secretary.

Bombay, 17th February, 1912.

Copy forwarded to the Secretary, The Indian Merchants Chamber and Bureau, for information and suport.

Yours faithfully,
LALSHANKER HARPRASAD,
for Hon. Secretary.

(Copy).

The Grain Merchants' Association,
Masjid Bunder Road,
Mandvi,

Bombay, 4th February, 1912.

To

THE GENERAL TRAFFIC MANAGER,
G. I. P. RAILWAY,
BOMBAY.

SIR,

It has been complained to my Committoe that owing to non-supply of empty wagons to stations on your line, big consignments of seeds and cotton are held back there to be booked and the trade in Bombay is suffering on that account.

I beg to give instances as below :—

(1) Messrs. Hirji Govindji inform they have over 25000 bags of seeds and bales of Hemp, etc., at JUBBULPUR, MADANMAHAL, DAMOH, SAGAUR, SEMRI, and other stations ;

(2) Messrs. Ruttonsey Poonja complain of non-supply at Tumen, Bamora, Kithora, Khorai, Sagaur, Itarsi, Bamonpura, Harda Dolaria and other stations and have also an equal quantity for traffic to Bombay,

(3) Messrs. Hirji Jetha inform that they have about 17,000 bags at Nanded, Shelut, Shahbad, Krishna, Shedapur, Panchora and Shavda etc., waiting to be booked for want of wagons ;

(4) Messrs. Tilakchand Mamraj have a very large number of bags at various stations on your line ; and

(5) Messrs. Vallabhdas Kalyanji likewise inform that they have also many consignments lying in various places on your line.

I may mention that owing to this state of things, many merchants could not perform their contracts of sales for Dec.-Jan. 1912 Delivery and had had to settle their contracts at a loss and

yet several are in dispute between the parties. In some cases steamer-freights had had to be settled at a loss.

Last year also and the year before, there was such a complaint from the mercantile community and the reply was that you were trying to the best of your ability to distribute the supply and that you were short of stock of empty wagons.

My Committee regret that such a thing should happen from year to year.

I am therefore directed to request you to arrange for the supply of empty wagons and accelerate traffic to Bombay.

I have the honour to be,

Sir,

Your most obedient servant,

(Sd.) LALSHANKER HARPRASAD,

for Hon Secretary.

Great Indian Peninsula Railway.

General Traffic Manager's Office.

Bombay, 8th February, 1912.

No. O. M. 621.

THE HON. SECRETARY,

THE GRAIN MERCHANTS' ASSOCIATION,

MANDVI, BOMBAY.

Dear sir,

I am in receipt of your letter of the 4th instant and regret that there is delay in moving the Cotton and Grain traffic. This is due to a very large portion of our stock having to be utilized for the carriage of grain and fodder traffic to the famine affected districts in Kathiawar and Guzerat. Your Association will agree that this traffic should be given primary consideration, inasmuch as receipt of grain and fodder in Guzerat and Kathiawar means the saving of valuable cattle,

2. There has also been a failure to obtain coal that usually arrives in Bombay by sea, and as a result we have had to send a large number of wagons daily to Bengal to fetch coal. This has further denuded our supply of wagons for cotton and grain, which as you are aware is hardly sufficient to deal with the traffic in an ordinary season.

3. I can assure you that the matter is having our earnest and careful consideration, and we are doing all we can to meet the position, and this will be appreciated when I point out that our receipts are higher than they have been in previous years.

Yours truly,
(Sd) A. C. RUMBOLL,
General Traffic Manager.

The Grain Merchants' Association,
Masjid Bunder Road,
Mandvi,
Bombay, 26th, March, 1912.

No.

To
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER
AND BUREAU.
BOMBAY.

This Office letter, dated the 22nd inst,
Re Supply of Empty Wagons at Cawnpore.

Dear Sir,

In continuation of my above said letter, I beg to submit copy of a letter this day addressed to the General Traffic Manager, G. I. P. Railway, and beg to point out that it is apparent that preference is being given to some merchants, (Messrs. Rallis and Louises) over other merchants, which is very anomalous, and such a thing must be at one stopped.

I remain, Dear Sir,
Yours faithfully,
NARANJI HARIBHAI,
Hon. Secretary.

The Grain Merchants' Association,
Masjid Bunder Road,
Mandvi,

Bombay, 26th March, 1912.

No.

To
THE GENERAL TRAFFIC MANAGER,
G. I. P. RAILWAY,
VICTORIA TERMINUS,
BOMBAY.

My letter dated the 22nd Inst.
Re Supply of Empty Wagons at Cawnpore,
in reply to your No. O. M. 621 of
8-2-12.

Sir,

In continuation of my aforesaid letter, I beg to send you a copy of a Vernacular letter translated into English, received this day from Warora Merchants.

Also in support of the contention that Messrs. Rallis and Louises are being given preference over other merchants a statement has been furnished to me, a copy of which is also attached herewith for your information, from which it appears to be a fact, that one Messrs. Nandlal had registered 13 Consignments for 1887 bags between 27-2-12, and 12-3-12, and 2 Consignments of 406 bags between 14th and 16th March, 1912, at Cawnpore Station, while 2 Consignments of about 600 bags booked on the 13th and 15th March 1912, respectively, belonging to Messrs. Rallis and one Consignment of 171 bags of Messrs. Louises booked on the 16th idem., were given priority and dispatched. My Committee think that this is a very grave question and should be looked into immediately and the staff at fault should be dealt with severely.

My Committee hope that you will be good enough to solve the difficulty without delay.

I have the honor to be,
Sir,
Your most obedient servant,
(Sd.) NARANJI HARIBHOY.
Hon. Secretary.

Translation of a Gujarati Letter, dated Warora the 25th March, 1912.

To

THE GRAIN MERCHANTS' ASSOCIATION,
BOMBAY.

Sirs,

We, the undersigned the Grain and Seeds Merchants, beg to in form you that the G. I. P. Railway Officers. for many days past do not book our goods, which is very much. The platform are so much full with goods consigned tha there is no further space for goods taken there, and yet no notice has been issued that no further goods will be allowed to be brought there, nor a single wagon is loaded with our goods. As a consequence we are suffering heavy losses, and we even wired to the authorities to the effect, but as we have no satisfactory reply, we beg to you to apply to have the difficulty removed.

Signed in Gujarati. AGARCHANDJI SHIVKARAN
" " " JESHANG VEERJEE.
" " " HASAM GUNNY.
" " " ABDE REHMAN BEG MEHOMED.
" " " HAJI SULAIMAN UMER
" " " VALI HASAM.
" " " HAJI TARMEHOMED.
" " " SULAIMAN JAMAL.
" " " JAMNDAS NARSEY & Co.

The Grain Merchants Association,

Masjid Bander Road,

Bombay, 22nd March, 1912.

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER BUREAU,
Bombay.

This Office letter, dated 17-2-12.,
Re Supply of empty wagons.

Dear Sir.

I beg to send you herewith a copy of letter with enclosure addressed to the General Traffic Manager of G. I. P. Railway for your information.

I

Dear Sir,
Yours faithfully,
LALSHNKER HARPRASAD,
Secretary.

Masjid Bander Road'
22nd March, 1912.

To,

THE GENERAL TRAFFIC MANAGER,
THE GREAT INDIAN PENINSULA RAILWAY,
Bombay.

Your No. O.M 621 of 8th February, 1912
Re. Supply of empty wagons.

Sir,

The cry for empty wagons for goods is now deafening my Committee, and my Committee apprehend serious positions for some of the merchants,

This day a letter has been received from the Cawnpore Merchants (Consignors) complaining that preference is being given to Messrs. Ralli and Louis Dreyfus to their goods lying in wait on the Platforms of Cawnpore Goods Station. If that be the fact, it is most regretting. I beg to send you herewith a copy of the said letter for favour of immediate action.

I have the honour to be,

Sir,

Your most obedient servant,

Sd. LALSHANKER HARPRASAD,

Secretary.

Cawnpore. 19th March 1912.

THE SECRETARY,

THE BOMBAY GRAIN MERCHANTS ASSOCIATION,

BOMBAY,

Dear Sir,

We, the undersigned, beg to request you to draw the attention of the authorities of the G. I. P. Railway Company on the following.—

We have got many consignments of grain and seeds for Bombay lying on the G. I P. Railway platform at Cawnpore since a long time i. e., from 21st ultimo and after that. We requested the Goods Inspector here to get our goods despatched, but he gave little attention to our request though he gives wagons for the goods of Ralli Brothers and Louis Dreyfus, which he receives daily in the shed and our goods is consigned previous than the goods of the above firms. Some of us had raised the question on this point and in reply he told that he is ordered to give wagons and preference to the above firms from his superiors. We have to-day asked the Goods Inspector the reason and rule or circular for giving preference to certain firms. In the meantime we shall feel highly obliged if you will

please ask the authorities on your side whether they have issued such orders and ask him to make arrangements to get our goods despatched without delay.

Yours faithfully,
Signed in Gujarati by Kanji Kara
and 22 others.

Bombay, 8th July 1912.

From
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER
AND BUREAU,
BOMBAY.

To
THE HON'BLE MR. CLARK,
MEMBER FOR COMMERCE AND INDUSTRY,
SIMLA.

Sir,

In continuation of the telegram of this Committee respectfully directing your attention to the grievances of Indian merchants at Cawnpore and adjacent stations, I beg, at the direction of my Committee, to send herewith a representation setting forth all the facts of the case with a request that you will be pleased to cause a thorough investigation to be made into all the complaints. This year has been specially remarkable in the history of the Railway administration in this country for the heavy strain on all the different Railway systems in the matter of waggons. The principal reasons for this appear to have been the Royal Durbar and the Famine condition. Appreciating this position the Committee in the beginning of the year thought that though there were many complaints from merchants regarding the shortage of waggons it would not be advisable to add to the difficulties of the Railway Board by making a representation at that early stage. But as time passed on the complaints of the merchants gathered in

volume and force. They most seriously allege that it is not so much the shortage of waggons as the undue and unjustifiable preference shown to certain other merchants. This allegation impelled the Committee to address a letter to the Railway Board on the 9th May 1912, mentioning therein specific instances of undue preference and requesting them to remove the merchants' legitimate grievances. The Committee sent another letter on the 16th May giving some specific instances brought to their notice by the merchants. In the meanwhile the grievances of the merchants have increased and they have suffered heavy damages and losses. Both with regard to their winter and summer shipments and deliveries they have been unable to fulfil their engagements as their goods are lying at Generalgunj and adjacent stations for weeks and sometimes even for months without being loaded. The Committee of this Chamber deeply regret that the traders have thus been made to suffer by reason of such extraordinary delay, specially as these, the Committee believe, were due not so much to natural cause, over which none can have any control but to the alleged undue preference. The Committee herewith enclose all the telegrams and letters which the Indian merchants of Cawnpore and adjacent stations addressed to different duly constituted authorities but to none of which any reply was vouchsafed, excepting that sometimes there was a formal letter of acknowledgment promising that the matter was receiving attention. Hence the Committee feel incumbent on trade interests generally to bring the whole matter to your notice as the highest tribunal of appeal in matters of commerce and industry. My Committee would restrain from pronouncing any hasty opinion till official investigation throws light on the whole question. They would however observe that the correspondence herewith enclosed brings out this regrettable fact that the Railway authorities have not acted in this matter as they ought to have done. The Railway Companies, the Committee are constrained to observe, have a tendency in this country many times to forget that they are public carriers and as such are bound by certain laws and regulations for the safeguarding of all public interests. Any neglect or indifferenc on their part to such interests, is calculated to act detrimentally to the transport facilities and thus to cause a serious reduction in the volume of commerce, the development of which is one of the most hopeful signs of progress of this country.

The Committee are confident that you will agree with them in the view they entertain that any undesirable and illegitimate practices in this matter are opposed to the purity of the administration of which the Government is a strong protagonist. Undue preference is a mischievous principle which should not find any place in any of the departments of the Government of India.

The complaints af Cawnpore Indian merchants may be summarised as follows :—

1. That undue preference is given to some merchants over others. The goods of the latter may be lying in open for any considerable length of time but as soon as the goods of the favoured merchants are received they are loaded at once even sometimes on the very day on which they are received. Instances are given of this in the table affixed hereto. (Vide Appendices V. and W.)

2. The Cawnpore goods yard is divided into sections whence the goods can be loaded serially. Instead of this the goods are taken haphazard.

3. Instead of clearing the open maidan first goods from sheds are taken first though the goods may be lying in open for a long time and though there may be bad weather.

Such being the state of affairs, the Committee are emphatically of opinion that they call for a special investigation by yourself with a view to remedy as early as possible the situation and afford the traders already hardh it a fast and reasonable relief and also that there may be no repetition of such a regrettable state of affairs during the coming busy season.

I beg to remain,

Sir

Your most Obedient Servant,

J. K. MEHTA,

Secretary.

APPENDIX A.

Telegram from Indian Merchants, Cawnpore, to G. I. P. Railway.

Copy of a Telegram dated 15th April 1912.

To

G. I. P. RAILWAY,
BOMBAY.

Scarcity of waggons throughout whatever supplied Generalganj Station given Ralli Lewis whose goods meet daily despatch. District Traffic Supdt. Jhansi and Goods Inspector assert they have clear instructions to give preference to Ralli and Lewis. Kindly reply if so. Our goods detained since fortnight suffered heavy loss due to undue and unreasonable preference. Railway liable under Section 42 II Railway Act. Please arrange matters immediately to load serially or will take shelter of law.

GOVINDJI JETHA.
KUWARJI OMARSEE.

APPENDIX B.

Telegram from Indian Merchants to Agent G. I. P. Ry.

Copy of a Telegram dated 22-4-1912.

To

Agent G. I. P. RAILWAY,
BOMBAY.

Five thousand bags at Generalganj upwards a week and three thousand bags at Calpi upwards a month lying for April and May

shipment. April shipment lost by delay. Incurring heavy losses. Consignments of Ralli and Lewis loaded every day. Goods Inspector under special instructions undue preference. Causing loss. Trade is suffering heavily. Remedy grievance within 4 days or shall move higher authorities.

APPENDIX C.

Letter from Indian Merchants. Cawnpore, to the Goods Inspector,

Generalganj, G. I. P. Railway.

To

THE GOODS INSPECTOR,

GENERALGANJ, G. I. P. RAILWAY,

CAWNPUR.

Sir,

This is to inform you that for the last few months undue preference is shown to Messrs. Ralli and Lewis in that their goods are sent first and then those of other Mahajans. We are supplied with very few wagons, the greater portion being supplied to the European merchants. On being asked by me in the presence of the D. T. S. to explain the reason of this undue preference you said you had instructions to do so from higher authorities. I shall therefore be glad if you will kindly send or let me know the authority in question as I wish to move further.

I really wonder why goods are not sent in serial order as they should have been.

Please take note and oblige.

Yours faithfully,

GOVINDJI JETHA and Others.

APPENDIX D.

(Letter to the Railway Board, Agent G. I. P. Railway, General Traffic Manager, G. I. P. Railway, District Traffic Superintendent, G. I. P. Railway, from Indian Merchants.)

Cawnpore, 27th April 1912.

Sir,

I hereby confirm the telegram of Babu Nalin Kumar Mukerji of the 23rd instant and beg to inform you that the Goods of my clients are lying at General Ganj and at Kalpi stations as noted in the telegram. The time for April shipment has expired and comparatively very few wagons had been supplied to us and some 10,000 bags of seeds are still lying in my godown which could not be sent to the Railway station as those already despatched are lying at your railway premises. These goods must be cleared immediately or else the May shipment time would also pass away and my clients Messrs. Kuwarji Umarsee Govindji Jetha would suffer heavy loss and shall have to pay damages. I may inform you that this is not due to any want of rolling stocks, as wagons are supplied daily for Ralli Brothers and Lewis consignments. It has almost become a matter of common practice with the authorities at Generalganj that out of 20 wagons for instance only 5 or 6 are distributed among all the Mahajans while the rest are supplied to Messrs. Lewis and Ralli Brothers alone.

This is evidently unfair and this undue preference is causing much loss to my clients. The Goods Inspector, Cawnpore, informed my clients that he is loading goods of these European Merchants on special instructions, If so I like to know on whose orders he does so. This highly objectionable and unfair treatment or undue preference is causing heavy loss to my clients and I trust you would try to put a stop to these state of affairs immediately. Failing to receive proper attention I shall be compelled to move higher authorities on the subject. Kindly try to clear consignments lying at Generalganj and at Kalpi within 4 days and make room to receive further consignments. In

any case all merchants Messrs. Lewis and Ralli Bros. including should be supplied with rolling stock in proper order. Hoping to receive your attention, etc.

APPENDIX E.

Letter from the Inian Merchants, Cawnpore, to the District Traffic Superintendent G. I. P. Ry.

1st May, 1912.

To

THE DISTRICT TRAFFIC SUPERINTENDENT,

G. I. P. RAILWAY, CAWNPORE.

Sir,

We, the undersigned merchants of Cawnpore, beg to bring to your kind notice that our consignments remain lying for a considerable period on the Railway premises an l they being shipment goods our loss owing to this delay is incalculable. The loss is not due so much to lack of wagon supply as to partiality and undue preference given to special customers. On reference to your gate pass book loading book, you would be satisfied that the Goods of Messrs. Ralli Brothers and Lewis and Company have been loaded in numbers whereas our shipments goods have been lying unloaded for days together. The April shipment has been delayed and the May shipment is also being delayed. As our stock of goods remains uncleared we are unable to make fresh purchases and the benefit of trade goes to the merchants whose consignments receive undue preference. When you had been to Cawnpore on 21st April 1912 and directed the Goods Inspector Cawnpore to load consignments in serial order the latter gentleman

stated that he had instructions from Bombay to clear consignments of Messrs. Ralli Brothers and Lawis and Company before those of any other merchants.

The state of affairs is indeed highly unjustifiable and I trust you would be kind enough to know why this undue preference is shown to our prejudice. We may further point out that our Goods are not allowed to be placed under the tin sheds where those of Messrs, Lewis and Ralli are unloaded and even if after some difficulty a few wagons are supplied to us we are not allowed free services of gang of Pallodars to load our goods. Only a gang or two are given to us to load our goods and that too generally after mid-day when it is most inconvenient to load goods in the sun. As a result inspite of the supply of wagons we cannot load them completely and we lose these wagons again. The Goods Inspector will not allow us to load our consignments by our own men. These difficulties are created for us to give preference to other rival firms and is clearly illegal. We may further state that the goods marked and allowed inside the railway premises lie there in the open and remain in danger of being damaged by rain and no Railway receipts ars handed to us for these consignments for days together. In fact orders should be issued that the Railway receipts should be given as the consignments are marked and weighed. We trust you would be pleased to enquire about these facts and we are prepared to prove our allegations to your satisfaction, we hepe you will kindly remedy our grievances.

We further beg to request you that you would be pleased to issue orders directing our May shipment consignments to be cleared by the 15th May latest and if rolling stocks be not available kindly direct Goods Inspector Cawnpore to close the gate and not to receive goods of any merchants (both European and Indians) for such time as would be necessary to clear the goods in hand.

Hoping to roceive your immediate personal attention.

Yours faithfully,

GOVINDJI JETHA and Others.

APPENDIX F.

Letter from the Indian Merchants, Cawnpore, to the Goods Inspector, G. I. P. Ry.

Dated, 6th May 1912.

To

THE GOODS INSPECTOR,

G. I. P. RAILWAY, CAWNPORE.

DEAR SIR,

Since the sottlement was made before the Distr ict Traffic Super intendent on the 2nd instant, that out of *20* wagons 12 should be supplied to the merchants, not on a single day the wagons have been supplied to the just proportion, while to-day not a single wagon has been supplied to us up to 3 P. M. though you had promised our Mr. Govindji in the morning to give one wagon out of three. Our Mr. Govindji had called at your office again at 2-30 P. M. but he could not see you in the office and he was told that not a single wagon was given to us. If the wagons are now supplied to us after 4 P. M. they mean nothing but inconvenience to us. It is quite clear that goods perishable and olders lying in the open maidan are more apt to be loaded before those lying in the sheds, yet the wagons are to-day first supplied by you to those whose goods are lying in the sheds.

Will you please explain us the causc of this ? What more clear proof can there be of your partiality to the European firm than this ?

Yours faithfully,

GOVINDJI JETHA and Others.

APPENDIX G.

Letter from the Inian Merchants, Cawnpore, to the General Traffic Manager, G. I. P. Ry.

Dated, 6th May 1912.

To

THE GENERAL TRAFFIC MANAGER,
G. I. P. RAILWAY,
BOMBAY.

DEAR SIR,

We beg to enclose herewith the application given to the D. T. S who had come here, to which no reply has been given to us nor a single grievance of ours remedied.

We cannot understand whether the Goods Inspector here does not pay any regard to D. T. S's orders or D. T. S. himself does not pay any regard to our correspondence.

We had written to youand had telegraphed also, but were great to say we have not received any reply from you excepting your formal letter of "receiving attention."

Should we expect any justice from you for our grievances mentioned in our application to the D. T. S.

APPENDIX H.

Letter from the Inian Merchants, Cawnpore, to the Goods Inspector,

G. I. P. Railway, Cawnpore.

Dated, 6th May 1912.

To

THE GOODS INSPECTOR,

G. I. P. RAILWAY, CAWNPORE

Dear Sir,

As for the settlement made by you in the presence of the D. T. S: on the 3rd instant that our goods such as poppy seed and linseed, etc., will be allowed to be stocked under the tin sheds we despatched 94 bags of poppy seeds to-day and which were being stocked under the shed our men were refused to do so and were ordered to stock the same in the open maidan.

Our thelas were the first to enter your yard in the morning and inspite of our Mr. Govindji's agreeing with you to stock our goods under the shed in the higher piles of 10 bags high each, we are at a loss to understand why our goods was not allowed while those of others which arrived later than ours has been allowed by you under the tin shed.

Will you please explain us the cause of this. As our poppy seed was not allowed to be kept in the shed we had to call back our thelas containing linseed.

Please note the weather is cloudy and if any goods are damaged by rain we shall hold your company responsible for the loss.

Yours faithfully,

GOVINDJI JETHA and Others.

APPENDIX I.

Telegram of the Indian Merchants, Cawnpore, to G. I. P. Railway.

Copy of a telegram, dated 7th May 1912, to G. I. P. Railway, Bombay.

Much cloudy expecting rain very soon, will you instruct Goods Inspector to load goods from open maidan and presently stop loading from Tin shed, otherwise heavy loss occur.

GOVINDJI JETHA.

APPENDIX J.

Letter of the Indian Merchants, Cawnpore, to the Consulting Engineer, Railway Board, Simla.

TO

THE COFSULTING ENGINEER,

RAILWAY BOARD,

SIMLA.

Sir,

We the merchants of Cawnpore beg to approach you with this petition, hoping you would be kind enough to redress our griveances.

We had sent petitions, telegrams for various Railway officials but to no effect. There are various lines of communication but unfortunately our whole grievance is with the G. I. P. Railway. The Goods Inspector of this Railway shows decided undue preference to oival merchants and he treats us with contempt and at times in unbecoming language. We herewith beg to file copies of our telegrams and applications to various Railway officials which would show you our various grievances.

We trust you would be kind enough to take our position into consideration and would ask the Goods Inspector, Cawnpore, to treat us with kindness and gently.

Yours faithfully,

GOVINDJI JETHA and Others.

Dated 7th May 1912.

N. B:—Any reply to this may kindly be communicated to us, through Messrs. Govindji Jetha and Kuwarji Umarsi Couperganj Cawnpore.

APPENDIX K.

Telegram of Indian Merchants, Cawnpore, to His Honour the Lieut Governor U. P., Nainital.

To Secretary Lieutenant Governor, Nainital.

We Merchants complained our grievances against G. I. P. Railway G. T. M., D. T. S., Secretary, Railway Board. But no effect. Our goods for April and May shipment lying unloaded for months. European merchants' goods loaded partiality and undue preference, continues suffering heavy losses. Further loss would reduce us to poverty. Being helpless seek your honour's protection. Our condition pitiable if goods not loaded in time insolvency would result. Pray protect and kindly intimate us feeling grateful.

GOVINDJI JETHA,

for Indian Merchants.

APPENDIX . L.

Telegram of Indian Merchants Cownpore, to G. I. P. Railway.

To Giprail, Commercial, Bombay.

Your letter O. M. 89-7-4 of 10th instant to hand Goods Inspector contradicts your letter, says he has no instruction to load our goods refuses to hear anything treats very meanly, continues stlll partiality about 2,500 bags lying in your yard, others in your godown, 5,000 at Kalpi suffering heavily. Please arrange soon.

GITTA.

APPENDIX M.

Telegram from Indian merchants to G. I. P, Ry.

To Giprail, Bombay.

Goods Inspector showing bare partiality ro those who please him as for example Chhagan Girdhar's one wagon of toovar for Bombay being not shipment goods entered yard yesterday and loaded forthwith wagon 36,905 mark 643, many such examples daily, thousands of our shipment bags lying for months, please investigate.

GOVINDJI JETHA,

for Indian Merchants.

APPENDX N.

" *Letter of the Indian Merchants, Cawnpore, to the General Traffic manager G. I. P, Railway.*

Cawnpore, 14th May 1912

To

THE GENERAL TRAFFIC MANAGER,
G. I. P. RAILWAY, BOMBAY.

SIR,

Re: letter No. O. M. 89-7-4 dated 10-5-12.

We are obliged for your above reply. We went to the Goods Inspector forthwith with your letter and showed it to him. He denies having received any instruction from you to this effect.

So long our goods being loaded according to serial number (excepting European firms) but Goods Inspector loads the goods randomly at his own will, i. e., the goods of the merchants he chooses.

We are at a loss to understand the cause of this. On telling of his this attitude we receive such mean treatment from him as cannot be described in a letter. Every Railway servant we know is bound by the Rules of the Company to act civilly with the public while we regret to see the Goods Inspector here acts quite on the contrary not with us only but with all of the Indian Merchants here.

Can we expect an investigation of this from you? Nearly 2,500 bags of ours are lying in your yard, so many in our godown and about 5000 at Kalpi.

Weather is irregular. May shipment is being passed and we are suffering heavily. Each day past without your interference now in the management of loading the goods here aids more and more to your losses. Please do not trouble the D. T. S, Jhansi, to investigate because from his last two unsuccessful visits we can see that he is

either under the influence of the Goods Inspector or Goods Inspector disregards his orders.

The matter has gone to such a crisis that it is essential for a higher authority to take up the matter.

We confirm our to-day's wire and give you a few examples of Goods Inspector's injustice, he has now freely begun to load the goods of those who please him. The following consignments are the samples:—

By Chhangan Girdhar one wagon Twvar wagon No. 36906 Mark 643 entered the yard yesterday and loaded instantly

Shive Mukh Rai Ram Kumar 2 wagons seeds wagon No. 30692• 51105 Marks 635 entered yard yesrerday and loaded instantly.

There are many others but we do not quote them here and you will find them out if you start the investigation and examine the • Gate Register Book and Loading Book and Receipt Book.

Can we expect justice from the Company.

Yours faithfully,
GOVINDJI JETHA and Others.

APPENDIX O.

Letter from the India Merchants to the Collector, Cawnpore.

To

The Collector, Cawnpore.

Sir

In compliance with your orders I herewith give you copies of correspondence that passed on the subject of undue preference shown openly and publicly by the Goods Inspector, G. I. P. Railway, and which cause considerable loss to merchants of Cawnpore.

These papers would show under what extreme circumstances we had to approach His Honour the Lieut. Governor of our province. We beg to submit that your honour would be pleased to send for from the Railway Officials, Gate Goods Register Book, Loading Book, and Receipt Books from 15th April 1912 upto date, which would clearly show when our consignments were sent to Railway Goods Shed and when they were loaded as also when consignments of Messrs. Ralli Brothers and of Messrs. Lewis Dreyfus and Co. and of Messrs. Volcart Brothers were received and loaded.

Please send for also such registers by which it can be ascertained how many empty wagons arrived at the station and to whom they were loaded and despatched. Above papers will clearly establish our allegations and we trust your honour would be pleased to recommend for judicial enquiry in the matter and for awarding compensation for the loss we sustained during the season. We have been further informed though we are not in a position to assert positively at present that the consignments of Messrs. Ralli Brothers that were received from out stations have been loaded forth with an inspection of Railway books concerned would make the position clear. The Municipal registers might also be useful for the above purpose.

Yours obediently,

GOVINDJI JETHA and others

23rd May 1912.

APPENDIX P.

Representation of Indian, Merchants Cawnpore, to His Honour the Lieutenant-Governor, United Provinces,

The Hon'ble Sir John Presscott Hewett, G. C. S. I., G. I. E. Lt .Governor for the U. P.

Govindji Jetha, Karji Oomersi and Others

Indian Merchants Cooperganj, Cawnpore—petitioners. May It Please Your Honour:

We the undersigned humble petitioners beg to bring to your honour's notice the following facts for favour of your kind and

indulgent consideration in continuation of our telegram dated 13th May 1912.

1. That your humble petitioners purchase various sorts of seeds at Cawnpore and neighbouring districts for the purposes of export. Some European Merchants such as Messrs. Ralli Brothers and Messrs. Lewis Dreyfus & Co., also deal in like business.

2. That your petitioners make forward bargain and ship consignments to reach customers in time.

3. That your petitioners tendered for carriage to the Goods Inspector, G. I. P. Railway at Cawnpore, consignments of seed for April shipment but unforunately a greater portion of those consignments are still lying at the Railway premises and the time has now expired.

4. That your petitioners sent further consignme nts in May and they are also lying in Railway premises unloaded and that time for May shipment is also passing away.

5. That consignments of European firms noted above are being daily loaded and carried and that the Goods Superinte ndent Cawnpore, is openly showing undue preference and partiality to these firms at our cost and inspite of repeated letters and telegrams to higher Railway Authorities our grievances have been substantially unheeded.

6. That our consignments lie unloaded in open and in danger of being destroyed by rain or otherwise and whereas consignments of European Merchants remain under Tin sheds and are loaded soon after they are received. A reference to Railway Book would corroborate our statements.

7. That owing to these unfair practices directly opposed to the principles of free trade, your humble petitioners cannot make fresh purchases as their own godowns are full and those sent to G oods Sheds lie unloaded. The loss to your petitioners is twofold and if immediate steps are not taken to clear our stock your petitioners would be reduced to poverty and insolvency.

8. That your petitioners made representations by means of letters and telegrams to Railway Authorities, Secretary Railway Board show-

ing various practices of Goods Inspector of Cawnpore in showing undue preference to rival European merchants. That your petitioners beg to invite your honour's attention to the enclosed copy of an application to District Traffic Superintendent, G. I. P. Railway, dated 1st May 1912.

9. That your petitioners' present trouble is not due to any lack of Rolling Stock but is the result of partiality and undue preference openly practised by the Goods Inspector apparently with the knowledge of higher Railway Authorities.

Your humble petitioners therefore most respectfully beg to approach your honour with the request that your honour would condescend to take pity on the helpless condition and take such step as to save us from impending dire poverty and loss, and to order an enquiry by any Court of Justice or by appointment of a Commission for the purpose of compensating your humble petitioners.

For which act of condescension your petitioners shall as in duty bound ever pray.

APPENDIX Q.

Translation of letter of Indian Merchants, Cawnpore, to the Indian Merchants' Chamber and Bureau, Bombay.

Koorperganj, Cawnpore, 10-5-12.

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

SIR

We the undersigned merchants of Bombay now residing in Cawnpore beg leave to draw you Chamber's attention to the following facts and hope that you and the members of the Managing Committee.

of your Chamber will carefully go through them and move the G. I. P. Railway authorities to settle the matters right.

1. It is a well known fact that at present the Railway Companies explain away the shortage of wagons under the pretext of having to carry grain and fodder to famine affected areas. We experience the greatest difficulties in obtaining wagons for our goods to be shipped abroad. In this connection some of our firms in Bombay had approached the General Traffic Manager, G. I. P. Railway, as a result of which it was arranged to send more wagons here, but we do not as yet receive an adequate number of wagons to meet the contingency which ought to be arranged for.

2. Of the wagons that are received in this station, the Goods Inspector here assigns more to Messrs. Ralli Brothers and Lewis Dreyfus but only a few to the Indian Merchants. The Goods Inspector was written to about this more than once but no reply was received from him. If we remind the Goods Inspector of this fact in person he uses impolite language towards us. We had complained aganist such impolite conduct of the Goods Inspector to the District Traffic Superintendent Jhansi, to the General Traffic Mangager, Bombay, to the Agent, Bombay, but no reply has as yet been received nor is the Inspector still warned not to do so. Because the Goods Inspector still persists in his impolite conduct we fear our complaints are not being taken into consideration.

3. From the beginning of the season hundreds of our bags of Jowari Bajri (millet) and Maize are lying on the G. I. P. Railway station for the last two, three months for want of wagons. All these goods worth more than a lac are spoiled by the two rains that recently fell on these parts. The bags have become rotten and the maiz, jowar and millets have been reduced to floor. The Railway Company was addressed to on the matter but it paid no heed to our complaints till at last after three months the goods when in quite rotton condition was taken up by the Railway Company.

From the time the seed season has opened the Goods Inspector has been giving undue preference to the European firms. This partiality on the part of the Railway Company has caused us to lose the April shipments and if the Railway Company continues in its

present conduct we fear we shall not be able to cope with the May shipment contracts which fact we bring to your notice in order that you may move the proper authorities to arrange for the wagons and for their being rateably distributed among the merchants here.

4. We had approached the District Traffic Superintendent, Jhansi to get the rateable distribution of the wagons at the station and he had personally run down here and had ordered the Goods Inspector in reference to set apart 12 wagons for Native merchants and the rest for European Merchants for every 20 wagons he received. Notwithstanding all this the Goods Inspector continued in his former conduct. In this connection we moved other Railway authorities but we have received no reply nor has the grievance been removed. As a last resource we have determined to get the redress of the grievance through your chamber and hence we request the chamber by this letter to take up our cause and do something in the matter or else we are in danger of incurring heavy losses.

5. How the damage was done and how further damage will be done will be apparent from the following facts.

We sell goods to Bombay Offices on Time Contracts. If the goods reaches them in time they can sell the goods ; or buy more even at higher rates. Now for want of wagons the goods bought by us for the time contracts do not reach them in time to fulfill the contracts and the Bombay Offices are compelled to buy the goods contracted for from the market there at the price ruling in that market thus causing us loss and the goods bought by us at a higher rate not having been sent up and lying in balance at our station has to be sold by us at a low price the market having during the meantime gone down. Thus we have to suffer both ways which if it continues longer will bring the whole trade to a standstill. We represent to you this most awkward condition in which we are placed and hope you will do your utmost to relieve us from this predicament.

6. The Railway Companies contend that the shortage of wagons is due to the greater part of their stock having been engaged in carrying fodder and grain to the famine striken Districts but this statement is also incorrect for the goods that are to be sent to such famine striken

areas and which are handed over to the Company at this station, that goods also have been lying idle here for want of the wagons for the last three months and have been rotten while the Company could supply wagons during the same period for hides and such other goods.

We beg to enclose herewith copies of the correspondence that has passed between us and the Railway authorities.

Any communications in this matter may be addressed to Messrs. Govindji Jetha and Co. Kooperganj.

APPENDIX R.

Letter of Indian Merchants, Cawnpore, to the District Traffic Superintendent, Jhansi.

Cawnpore, 25-6-12.

To

THE DISTRICT SUPERINTENDENT,

G. I. P. RAILWAY,

JHANSI.

SIR,

In continuation of previous correspondence on the subject, we beg to bring to your notice that the District Magistrate of Cawnpore had ordered to load goods lying on the Maidan and after clearing the same to load those under tin sheds, but the order is not carried out. Goods of European merchants lying under tin shed were being loaded and

the attempt to clear the maidan is simply nominal. We were moreover informed that under some orders half the number of empty wagons are reserved for Messrs. Ralli Brothers and the half for other merchants including both European and Indians. Out of these latter half, greater portion is given to Messrs. Lewis & Co., and other European Merchants.

We may further point out that consignments of Messrs. Ralli Brothers consist of goods for foreign Railways, whereas our consignments are local purchases and booked only through your line. We may further beg to bring to your notice that our consignments are all for shipment as of other European merchants and apart from those lying inside your premises a greater bulk nf them are lying at our godowns. The Gate has been closed for Indian Merchants but consignments of European merchants are accepted and loaded immediately or very soon after and goods from foreign lines are re-booked immediately after they are unloaded under tin sheds. Under the circumstances it is useless to keep the gate closed.

The weather is cloudy and threatening and we fear serious loss to our goods if not immediately loaded. Our goods were loaded generally in open and unprotected wagons under risk notes. We moreover find that goods for other stations besides Bombay are loaded and wagons are available for them, but strange to say, that consignments for Bombay are not accepted. B. B. & C. I. Railway has also stopped loading goods for Bombay apparently under some correspondence and these facts would clearly show all our troubles are not due to any laxity of rolling stocks but owing to partiality and undue preference openly shown by your Company. We feel our duty to inform you of these facts which could be established in any judicial enquiry in the matter. We still hope that this state of affairs be stopped and equal treatment be awarded to all merchants and customers.

Hoping to receive your immediate attention,

Yours faithfully,

(Signatures of) Indian Merchants.

APPENDIX S.

Letter to the Bombay Grain Merchants' Association from the Merchants of Kalpi.

To

THE GRAIN MERCHANTS, ASSOCIATION,

POST BOX Mo. 3, BOMBAY.

SIR,

We the grain Merchants of Kalpi, respectfully beg to approach your well-known association with the following few lines:

That we are suffering much at the hands of the G. I. P. R. Officers who do not give ear to our just grievances.

That we have submitted several wires, applications, and reminders to the Railway Officers both at Simla and Bombay with the result that no heeds are paid to our humble requests.

Seventy thousands of our grain bags are lying unbooked both at the Kalpi Railway Station and our godowns. These are all old stock goods that have been lying unbooked for want of wagons which are not supplied by the G. I. P. R.

Over and above all these, orders have been issued by the Railway officers to the effect that preference should be given to Messrs. Ralli Brothers.

By virtue of these unclassified and onesided orders Ralli's fresh goods are despatched daily while our old stock is ignored.

Prices have already gone down and we are suffering much pecuniary loss.

All our grain bags are lying in open ground exposed to rain and wind and if rains fall we shall lose hundreds of thousands rupees.

We therefore approach your association with full hope that you will kindly do something in the matter and redress our grievances.

We have knocked at all doors but yours and now we come forward to you craving your hospitality and kind co-operation.

We shall be glad if you kindly take up the matter and give us your sound advice if desirable.

For this act of kindness, we shall be highly obliged and ever pray for your long life and prosperity.

Thanking you in anticipation and hoping to hear soon.

We remain,
Sir,
Yours most respectfully,
MULTAN NARSINGDAS,
for grain merchants of Kalpi.

Kalpi, dated 18-4-12.

APPENDIX T.

Representation re the shortage of Railway Waggons, sent by the Indian Merchants' Chamber and Bureau to the Railway Board.

From
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU.
BOMBAY.

To
THE SECRETARY,
THE RAILWAY BOARD,
SIMLA.

Sir,

Under directions of the Committee of this Chamber I beg to draw respectfully the attention of the Railway Board to the following facts with reference to the question of the shortage of the Railway waggons.

It appears that the Grain Merchants' Association of Bombay represented to the General Traffic Manager, G. I. P. Railway, that something should be done in the way of sanctioning construction of an adequate number of waggons. There is an important statement made in the reply of the General Traffic Manager to this representation. The statement is to the effect that " the waggons are hardly sufficient

to deal with the traffic in an ordinary season." The Committee fear that if this statement is true it betokens a grave state of affairs which requires to be remedied.

It is also held by some that the seeming shortage of waggons is due to the lack of proper junction facilities, of double lines, of proper speed of trains, etc.

The Committee think that the question is so important that itneeds careful investigation by the Railway authorities of the Railway Board, as upon that depends to a large extent the development of trade and commerce.

Another thing to which the Committee beg to draw the attention of the Railway Board in this connection is that certain Indian merchants of Cawnpore have complained te this Chamber through the Grain Merchants' Association that at that station in the matter of the supply of waggons the priority of consignment notes is not taken into account but that preference is given to some firms. Thus it happens that though some merchants may have presented their consignment notes for goods earlier, these goods have to lie at the station for an indefinite length of time while other firms later in the field get the priority for apparently no valid reason whatever. The Committee think that if this complaint is true, and there is no reason to think that it is not true for there are facts and figures in support, it affords good ground for serious reflection. "Equality of treatment to all" should be the rule in every Railway administration which should look only to the interests of trade and commerce without preference to any particular interests.

I beg to append herewith copies of the letter of the G. T. M. G. I. P. Railway, and of the statement submitted by the Cawnpore Merchants with regard to their complaint.

Hoping that this representation will receive your favourable consideration.

I beg to remain,
Sir,
Your most obedient servant,
M. V. VACHHRAJANI,
Asst. Secretary.

APPENDIX U.

Representation of the Indian Merchant's Chamber and Bureau to the Railway Board.

(continuation of Appendix T.)

Bombay, 20th May 1912.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To

THE SECRETARY,
THE RAILWAY BOARD,
SIMLA.

Sir,

In continuation of our letter dated the 9th instant I beg to send you herewith a copy of a letter received by this Chamber from some of the merchants together with copies of the correspondance that had passed between them and the different Railway authorities. It is mentioned in the letter that they have received no reply whatsoever from any of the officers concerned.

All this correspondence will convince the Board as to the truth of the allegations made by us in the latter portion of our previous letter.

As the grievance is of a long duration and as it affects the most vital interests of Commerce we beg to invite the early attention of the Railway Board to this most important question and request that prompt action be taken to redress the grievance.

I beg to remain,
Sir,
Your most obedient servant,
M. V. VACHHRAJANI,
Asst. Secretary.

APPENDIX V.

Statement No. I giving comparative instances of undue preference.

Cawnpore, dated 18th March, 1912

Statement showing goods lying at Railway Station, "Registered."

Mark.	Bags.	Date Registered	Owing to
984	109	27-2-12	Messrs. Nandalall
982	109	,,	,, ,,
983	,,	,,	,, ,,
75	159	29-2-12	,, ,,
92	170	1-3-12	,, ,,
120	56	4-3-22	,, ,,
119	56	5-3-12	,, ,,
122	203	,,	,, ,,
153	164	8-3 12	,, ,,
181	170	9-3-12	,, ,,
180	86	,,	,, ,,
231	328	12 3-12	,, ,,
230	168	,,	,, ,,
	1887		
274	275	14-3-12	,, ,,
274	131	16-3-12	,, ,,
	406		
	2293		

Statement showing other's goods loaded previous which was registered after ours.

			Date Loaded.	
226	500	13-3-12	17-3-12	Messrs. Ralli Brothers.
307	100	15-3-12	,,	,, ,, ,,
	600	16-3-12	16-3-12	,, Louis Dreyfus & Co.,
325	171			

APPENDIX W.

Statement No. 2 giving instances of goods loaded soon through alleged undue preference.

Date of arrival.		Merchants' Name.	Loading date.		Reg Mark.	Wagon Number	Remarks.
April.	23	Tejpal Jamunadas ...	May.	13	245	33318	
„	24	Not known	„	15	262	28169	
„	25	Tojpal Jamunadas ...	„	13	289	30085	
„	29	Tejpal Jamunadas ...	„	13	408	33266	
„	30	Not known	„	15	428	15423	
May.	1	Tejpal Jamunadas ...	„	27	450	Not known	
„	6	Tejpal Jamunadas ...	„	12	503	30553	
„	6	Chhagan Lal Girdhar.	„	13	553	24622	
„	10	Not known	„	27	635	Not known	
„	13	Chhagan Lal Girdhar.	„	13	643	36905	
„	9	Seomukhrai Ramkumar	„	13	635	31105	
„	16	Keso Lal Chhota Lal.	„	27	700	Not known	
„	22	Chhagan Lal Girdhar.	„	25	847	„	
„	22	Chhagan Lal Girdhar.	„	25	776	„	
„	24	Not known	„	24	972	„	
„	29	Chhagan Lal Girdhar.	„	29	847	„	4364 Invoice No.

APPENDIX X.

Letter of Govindji Jetha to the District Traffic Superintendent.

G. I. P. Ry. Jhansi,

Bombay, 17th June, 1912.

To

THE DISTRICT TRAFFIC SUPERINTENDENT,
THE GREAT INDIAN PENINSULA RAILWAY,
JHANSI.

Sir

I beg respectively to bring to your notice that the arrangement which you were kind enough to promise with regard to the consignment of goods from Cawnpore by Indian merchants has not been, as my reports go, followed as yet by the authorities there. The arrangement was that the Indian merchants were to be given the privilege of having all the remaining wagons after one-third of the total number of wagons available were given to Messrs. Ralli and Co. The Collector even was pressent when this arrangement was proposed and it is therefore with regret I write that this is not yet followed. I hope that nothing further has transpired since our aforementioned meeting to make possible any change in the arrangement. I again appeal to you as I have appealed to you so many times to look to the convenience of Indian merchants and give us the facilities we pray for. I am for the present for some business in Bombay and you will be kind enough to write your reply to me here.

My impression when I came down here was that the arrangement alluded to above must be being followed there but I learn that it is not so and hence only I am forced to write this letter to you. Before I conclude my letter I may be allowed to remind you of the fact that the arrangement

comprised as one of its conditions that each side of the platform should be cleared of its goods before any other side was taken up for loading the goods. This condition is also, it appears, not observed.

I beg to remain,

Sir,

Your most obedient servant.

(Sd). GOVINDJI JETHA,

C/o. The Indian Merchants' Chamber & Bureau,

77-79 Appollo Street, Fort,

Bombay

Copy.

25th June 1912.

From

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,

Bombay.

To

THE HON'BLE MR. CLARK.

MEMBER FOR COMMERCE AND INDUSTRY,

Simla.

SIR,

I beg to confirm herewith under the instructions from the Committee of this Chamber the telegram sent to you yesterday re the grievances of Cawnpore Indian merchants. The telegram was as follows :—

"The Committee of the Indian Merchants' Chamber respectfully. bring to your notice grievances of Cawnpore Indian merchantsd Thousand of bags of grain and seeds lying at Generalgunj any adjacent stations for days and months with consequent heavs

damages and losses. Merchants requested often Railway authoritier but no redress granted. No reply also to our Committee's similas request to the Railway Board. Committee believe undue preferences have been given in certain cases. All patience of these merchants having been exhausted and all attempts and appeals having failed from the constituted authorities the Committee now earnestly appeal on behalf of these merchants to yourself as the highest tribunal to order immediate clearance of the goods still lying at these stations and to institute a careful investigation."

I am also asked by the Committee to inform you that they will in due course send a further representation setting forth all the facts and enclosing all the correspondence relating to the matter.

In the meanwhile they hope steps will be taken to afford the merchants immediate redress.

I beg to remain,
Sir,
Your most obedient servant,
J. K. METHA.
Secretary.

SECRETARY, INDIAN MERCHANTS' CHAMBER AND BUREAU.

77-79 Apollo Street, Bombay.

1180 Rt. Your telegram of the 25th June, the Railway Board communicated your letter of the 20th May to the Great Indian Peninsula Railway. With reference to your request that an order should be immediately given to clear the Goods referred to. Government regret they cannot order a Railway to book particular consignments. In respect to your complaint of preferential treatment the President of the Railway Board will be in Bombay on the 15th and 16th July and will be ready to meet your Chamber and go into this question if you will fix day and time Railways, Simla, July 1912,

Government of India.
Railway Department,
(Railway Board).
No. 1181 R. T.
Simla.
Dated the 2nd of July, 1912.

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU,
77-79, APOLLO STREET, BOMBAY.

Sir,

In your letter of the 9th May, 1912, you bring the following matter to the attention of the Railway Board :—

(a) The inadequate number of wagons on the Great Indian Peninsula Railway.

(b) The want of facilities for dealing with the traffic of that line.

(c) Preferential treatment being given to certain firms by the Great Indian Peninsula Railway.

With regard to the first two representations, I am to say it is quite true that more wagons and increased facilities are required on the Great Indian Peninsula Railway in spite of the large sums which have been allotted to that Railway for expenditure on improvements during recent years.

The following statement gives these figures :—

Year.	Actual capital grant as per Budget orders. (In lakhs of rupees and decimals.)	
1908-09 ...	118.10	
1909-10 ...	140.12	
1910-11 ...	130.00	
1911-12 ...	98.20	
1912-13 ...	120.02	(Including Indian Midland Railway.)

For the years 1912-13 an additional sum has been recently allotted of 41 lakhs making 171 lakhs in all for the year.

The Board of Directors of the Company have placed a still larger programme of expenditure for the next three years before the Railway Board and their proposals will meet with most careful consideration within the financial limits permissible.

In respect to the question of preferential treatment I am to say that the President of the Railway Board will be in Bombay on 15th and 16th July and will be glad to meet your Chamber and go into this matter.

I am to add that your letter of the 20th May was duly communicated to the Great Indian Peninsula Railway.

I have the honour to be,
Sir,
Your most obedient servant,
C, T. ANDERSON,
for Secretary, Railway Board.

Documents accompanying :—
Nil.

Government of India.
Railway Department,
(Railway Board).
No. 1194 R. T.
Simla,
Dated the 3rd of July 1912.

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU,
77-79 Apollo Street, BOMBAY.

Dear Sir,

I am directed to acknowledge receipt of the telegram, noted in the margin, which appears to have been intended for the Secretary, Railway Department, and to have been sent in reply to the telegram No. 1180 R. T. despatched to you by this

To Secretary Commerce and Industry, Railways Department, Government of India, Simla.
Received your telegram please inform President, Railway Board, Committee Indian Merchants Chamber and Bureau will be glad to see him Tuesday 16th July between twelve and four noon, kindly wire suitable hour. Mehta, Secretary.

Department, on July 1st, offering your Chamber an interview with the President, Railway Board, at Bombay on July 15th or 16th.

2. I am to state that the President, Railway Board, is prepared to meet your Chamber at midday, July 16th.

Yours faithfully,

C. T. ANDERSON,

for Secretary, Railway Board.

Documents accompanying.

His Excellency The Right Hon'ble

CHARLES BARON HARDINGE OF PENHURST

P.C., G.C.B., G.C.S.I., G.C.M., G.C.V.O., C.I.E., G.C.V.O.,

Viceroy and Governor-General of India in Council.

Petition under Section 28 of the Indian Railways Act.

MESSRS. GOVINDJI JETHA & Co., and other Merchants.

CAWNPORE..... ....PETITIONERS.

Your humble petitioners respectfully showeth:—

I. That the G. I. P. Railway administration does not afford reasonable facilities and imposed undue restrictions and created impediments in our way in contravention of provisions of Section 42 Railway Act, in receiving and forwarding of traffic as would appear from the following circumstances:—

(1) That for upwards of one month and a half the Goods Inspector, Cawnpore, under orders from superior Railway authorities had closed the gate against us but he has been receiving and forwarding consignments from Messrs. Ralli Brothers almost every day.

(2) That our consignments tendered for despatch in March and April 1912 were not loaded in wagons till the end

of June and a greater portion remained in open yard. That the consignments lying in open had been removed under orders of the District Magistrate, Cawnpore, in the course of an enquiry directed by His Honour the Lieutenant Governor of these Provinces.

(3) That some consignments noted in clause (2) had been damaged by rain and were not accepted by the Railway and we were compelled to sign risk notes to our prejudice absolving the Company from liability.

(4) That consignments tendered for despatch are not immediately loaded and receipts are withheld even for months, and that the Railway Company does not accept liability for loss, damage, destruction or deterioration to goods while in their possession. This difficulty in receiving consignments means a considerable loss to us and thefts by Palladars and watchmen are notorious. The procedure is clearly prejudicial and disadvantageous to us and is in contravention of the provisions of Section 42 Indian Railway Act.

(5) That other Railways in Cawnpore do not accept for carriage consignments for Bombay presumably under some agreement with the G. I. P. Railway. B. B. & C. I. Railway is directly connected with Bombay but that Railway is also unable to accept shipment consignments intended for Bombay. This restriction created in the interest of the G. I. P. Railway is in violation of the Provisions of Section 42 Railway Act.

(6) That the G I. P. Railway has openly shown undue preference to the consignments of Messrs. Ralli Brothers & Co., in Cawnpore, Kalpi and other stations on its line, for local and foreign goods, and in spite of repeated complaints the Railway officials did not abandon their line of action and that at times partiality had been shown to some other merchants also.

(7) That on or about the 2nd week of June the General Traffic Manager issued orders to all stations to supply half the number of large and closed wagons to Messrs. Ralli Brothers and to supply the rest to other European and Indian merchants.

(8) That the business of Messrs. Ralli Brothers in Cawnpore is hardly 15 or 20% than these of other merchant of Cawnpore but if such partiality would be continued soaner or later the whole trade would belong to that firm. In fact some merchants had sold their consignments to Messrs. Ralli Brothers and all fresh purchases had been stopped by other merchants. If this state of affair is to continue the whole trade would be of Messrs. Ralli Brothers. The agitation on the matter is going on in Cawnpore particularly and so Messrs. Ralli Brothers & Co. with a view to show his trade at the highest has been arranging to get consignments from foreign stations to Cawnpore and get them rebooked from Cawnpore. These consignments could have been easily booked direct to Bombay. If Mesars. Ralli Brothers' all trade in India be compared with the trade of other merchants in Cawnpore the percentage might come to 40%. This has been countenanced by the G. I. P. Railway in order to justify their partiality, but this is manifestly in contravention of the spirit of the law. Many of the Cawnpore merchants have branch offices, at outstations and they can likewise manage to book their consignments to Cawnpore and then rebook the same to Bombay and thus create congestion at Cawnpore.

(9) That some merchants at Cawnpore had contracted to deliver seeds to Messrs. Ralli Brothers at Bombay and they had to pay damages for breach for not supplying the same though bags were lying in their godowns and in Railway premises and that Messrs. Ralli Brothers in collusion with the G. I. P. Railway is trying to upset

the Cawnpore market to create a better field for him in future.

(10) That wagons which were occasionally supplied to us were of small dimensions and mostly uncovered and that proper care was not taken to protect them from rains.

(11) That when a small portion of empties were given to us for our consignments sufficient Palladars were not supplied to load goods and generally they were sent to us after 10 a.m. when the work can not properly progress. We are not allowed to load by our own men and on the following day wagons not loaded were again distributed along with others received in an unequal proportion as stated above in clause 7. This is clearly meant to subject us to undue disadvantage and to confer advantage to Messrs. Ralli Brothers. That your petitioners beg to invite your Excellency's attention to the report of the District Magistrate, Orai, to His Highness the Lieut.-Governor of these Provinces.

II. That it is the practice of all Railways to place damaged bales in the midst of the consignments, so that they may not be easily noticed by sight and after delivery of Railway Receipts, claims are repudiated on the plea of delivery under clear receipt though the loss is detected in the course of the delivery. This procedure is manifestly improper and causes unnecessary trouble in delivery of consignments, and the Railway Company would not allow a survey or arbitration to establish the loss. The Railway Company should afford all reasonable facilities for delivery, of consignments and the practice followed in above cases is directly in contravention of the provisions of Section 42 Railway Act.

III. That in view of the provisions of Section 43 Railway Act; Combined and Differential rules should invariably be adopted by all companies the non-observance of which

clearly means preference to traders of some particular local area.

Your petitioners therefore pray that your Excellency would be pleased to appoint a commission to hold an enquiry into the above allegation, and to allegations contained in para. I of this petition in particular; and to direct an injunction for the future guidance of Railways concerned, and to award compensation as may be deemed proper in the interest of justice.

GOVINDJI JETHA & Co,

AND OTHER MERCHANTS.

Cawnpore, The July, 1912.

His Exllency The Right Hon'ble

CHARLES BARON HARDINGE OF PENHURST

P.C., G.C.B., G.C.S.I., G.C.M., G.C., C.I.E., G.C.V.O.

Viceroy and Governor-General of India In Council,

Petition under Section 28 Indian Railway Act,

MESSRS. MANSI LAKHAMSEY & Co., AND OTHER MERCHANTS,

KALPI.....PETITIONERS,

YOUR HUMBLE PETITIONERS RESPECTFULLY SHOWETH.—

1. That the G. I. P. Railway supplied only few wagons to our station up to the end of June, and in July the supply had been increased when open partiality and undue preference was shown to consignments of Messrs. Ralli Brothers & Co., to our prejudice with the result that if such a state of affair is to continue longer your petitioners shall have to close their business altogether.

2. That consignments of Messrs. Ralli Brothers & Co., are every day received direct from godowns though our consignments are lying in Railway premises. That Messrs. Ralli Brothers & Co., would have hardly 25,000 bags though our bags ready for despatch were more than $2\frac{1}{2}$ lacs in our godowns.

3. That the season is passing away and your petitioner's bags are lying in godowns. Your petitioners had to stop making purchases and thereby Messrs. Ralli Brothers are undoubtedly getting advantage.

4. That more than half the number of wagons of largest size and mostly covered ones are given for Messrs. Ralli Brothers' consignments and the rest are awarded for our goods.

5. That the G. I. P. Railway Company issued orders to all stations to supply more than half the number of wagons of the empties to Messrs. Ralli Brothers & Co. which practically means that half the number of wagons of the Company should load only consignments of Messrs. Ralli Brothers & Co. as if the trade of this firm amount to 50% the trade of whole India.

6. That your petitioners believe that the trade of Messrs. Ralli Brothers & Co., in Kalpi is hardly 20% and there is a clear case of open partiality against the G. I. P. Railway. Your petitioners beg to invite your Excellency's attention to the Report of the District Magistrate, Orai, under orders of His Honor the Lieut-Governor of these Provinces.

7. That your petitioners have suffered heavy losses which is the direct result of undue preference on the part of the G. I. P. Railway Company.

Your petitioners, therefore, pray that your Excelleney would be pleased to direct an appointment of a commission to enquire into above allegations and to issue injunction for future guidance and to award your petitioners such compensation as may be deemed proper.

Kalpi, The July, 1912.

MANSI LAKHAMSEY & OTHERS.

Great Indian Peninsula Railway Company.
Agent's Office.

Victoria Terminus,

Bombay, 22nd July, 1912.

No. 39—W-5.

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER & BUREAU,
77-79 Apollo Street,
BOMBAY.

Dear Sir,

With reference to your letter of 16th instant forwarding copies of the representation forwarded by your Committee to the Hon'ble Mr. Clark, Member for Commerce and Industry, and also with reference to the interview your Committee had with the Hon'ble Sir T.R. Wynne on 15th instant, I am desired to inform you that the President of the Railway Board will arrive at Cawnpore on the evening of 29th July and will be prepared to meet the representatives of the Indian Merchants at Cawnpore at 7 a.m. on 30th July at the G. I.P. Railway Goods Shed.

Yours faithfully,
FRANK G. CLARK,
Secretary.

D. A.
Nil
C. S. V.

Railway Department.
(Railway Board.)

Hyderabad,
July 20th 1912.

Dear Sir,

I shall arrive at Cawnpore on the afternoon of the 29th July and be ready on the morning of the 30th to make the enquiry with

Major Hepper into the complaints against the working of the G. I. P. Goods Shed.

Major Hepper will communicate with you also about this.

Yours faithfully,
T. R. WYNNE,
President, Railway Bd,

The Secretary,
Indian Merchants' Chamber & Bureau,
Bombay.

Railway Department.
(Railway Board)
Simla, 15th August, 1912.

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

Dear Sir,

I beg to acknowledge the receipt of your letter forwarding a copy of the proceedings of the meeting recently held in Cawnpore and in reply beg to say that I have no alterations to suggest.

Yours faithfully,
T. R. WYNNE,
President, Railway Board.

THE INDIAN MERCHANTS' CHAMBER.
AND BUREAU, BOMBAY.

Report of the Meeting of Inquiry held at Cawnpore, G. I. P. Railway, Generalgunj Goods Shed on Tuesday, the 30th July, 1912, at 7 a. m.

PRESENT.

The Hon'ble Sir T. Wynne,
President, Railway Board.
Major Hepper,
Agent. G. I. P. Railway.

Mr. A. C. Rumboll,
General Traffic Manager, G. I. P. Railway.

Mr. Hanson.
General Traffic Manager, B. B. & C. I. Railway.

The District Traffic Superintendent, Jhansi.

Mr. J. K. Mehta,
Secretary, The Indian Merchants' Chamber and Bureau.

Mr. Naranji Haribhai,
Hon. Secretary. The Grain Merchants' Association.

[Messrs. Mehta and Naranji Haribhai represented the Indian Merchants' Chamber and Bureau.]

There were also present many leading Cawnpore merchants like Mr. Shivmukhrai Ramkunvar, Baijuath Jogilal, etc., and the following merchants from Bombay.

Mr. Virji Ghella of Mansey Lakhamsey & Co.

Mr. Govindji Narandas of Messrs. Govindji Jetha & Co.

Mr. Lalji Vussonji.

Mr. Premji Devkaran.

In the beginning Sir T. Wynne asked whether for the purposes of this inquiry Messrs. Mehta and Naranjibhai would take up the representation of the Indian Merchants' Chamber and Bureau or the petition of the Cawnpore merchants. They replied that they would take up the representation of the Indian Merchants' Chamber. Sir T. Wynne asked whether if all the points mentioned in the petition of the Cawnpore merchants were settled to the satisfaction of both the parties, would the Cawnpore merchants be willing to withdraw the petition ? Messrs. Mehta and Naranji Haribhai replied that in all probability they would.

Sir T. Wynne then asked whether the Indian merchants approved of the proposal mentioned in the petition of the Cawnpore merchants to H. E. the Viceroy that a Commission should be appointed to enquire into the whole matter. He said that the Commission would be a very expensive one and that the Indian merchants would have to bear a share of the burden. Messrs. Mehta and Naranji Haribhai replied that they

were unable to give expression to any opinion on the matter before consulting the Committee of the Indian Merchants' Chamber.

1. The first question was the undue preference given to some merchants at the Cawnpore station and Messrs. Mehta and Naranjibhai produced certain instances of this given in the appendices V. and W. of the representation of the Indian Merchants' Chamber. Sir T. Wynne enquired as to the reasons for this alleged undue preference at the same time expressing his inability to credit the contention of the Indian merchants. Mr. Rumboll gave some instances wherein some of the complainant Indian merchants had undue preference shown to them. Messrs. Mehta and Naranjibhai in reply to the query as to the cause of the alleged undue preference stated that it was bribery but that it was impos sible to get any individual merchant to come forward and give evidence as to his having received at any time preferential treatment due to this cause. The reason was that such a confession might involve him in serious difficulties. An instance of an Indian merchant of Dakore was here cited who was sentenced recently to imprisonment for giving bribes to the station authorities and it was further stated that in the case under review the Station Master who was also one of the accused was acquitted on the plea that the money was given to the Dalal. Sir T. Wynne enquired whether it was not possible to substantiate charges of bribery ; Messrs. Mehta and Naranjibhai said that they feared that it was not possible. The matter was discussed at the interview of the Committee of the Indian Merchants' Chamber with the Hon'ble Sir T. Wynne and there too it was stated that no merchant would be found who was willing to come forward and admit that undue preference was shown to him for reasons of bribery, etc.

2. Messrs. Mehta and Naranjibhai stated a telegram was sent to the Kalpi Station Master by the District Traffic Superintendent, Jhansi, and that a similar telegram was also sent to some other stations, on the 21st June of this year to the effect that half to half waggons and those too of larger carrying capacity should be given to Messrs. Ralli Bros. Mr. Rumboll said that the telegram was issued in error and was in force for only a couple of days. Messrs. Mehta and Naranjibhai submitted that the telegram was in force for ten days. They also put forward figures showing the monthly loading percentages for the months of May, June and July

(up to the 25th) of the Indian Merchants and Messrs. Ralli Bros. from the Kalpi Station.

In May the loading of goods of Ralli was 30% of that of the Indian Merchants.

In June it was 50%.

In July (up to the 25th) it was 36 %.

They also pointed out that the stocks of the Indian Merchants at that time (at the time of the meeting) were both at Cawnpore and Kalpi more than one lakh bags, and that stocks of Ralli at Kalpi did not amount to more than 18,000 and at Cawnpore were still less. Messrs. Mehta and Naranjibhai contended that the percentages given above of the leading of the goods of the Indian merchants and Messrs. Ralli Bros. showed that the goods despatched by the latter in the month of June were 50% of those despatched by the former and that therefore the order to supply half of the waggons to Ralli must have been in force for a longer period than what was stated by Mr. Rumboll.

3. Messrs. Metha and Naranjibhai also contended that the figures given above of the stocks of the Indian merchants and Ral made it apparent that the latter had much less goods in stock than the former and that despite this fact the Railway authorities persisted in giving one-third of the number of available waggons to Messrs. Ralli Bros. The instance of Kounch was also cited where 8 out of 10 available waggons were given to Messrs. Ralli Bros. In explanation as to the reasons for the Railway authorities allowing one-third of the available waggons to Ralli Mr. Rumboll stated that as they were the largest exporters and consignors it was but fair that they should be allowed a third of the number of available waggons. He also observed that during the current year Messrs. Ralli Bros, had been literally forced to despatch a large proportion of their goods to Calcutta as they found it impossible even to secure their ratio of waggons on the G. I. P. line. Messrs. Metha and Naranjibhai stated that the reason given by Mr. Rumboll for allowing a larger proportion of waggons to Messrs. Ralli Bros. were not convincing, as it was clear that they could not by any means have made such large purchases as was stated by Mr, Rumboll to have been the case. The G. I. P. Railway authorities should take into account only such goods as were railed by Messrs. Ralli Bros, by their line.

Mr. Rumboll stated that at times when freight was declared to Ralli at Bombay and a vessel was awaiting their goods there, they would request the Railway Company to despatch their goods at once and the Railway authorities in consideration of their being big customers and also in consideration of encouraging export trade were justified in facilitating the despatch of their goods in preference to the goods of other merchants which were not required for export but for local deliveries at Bombay. Messrs. Metha and Naranjibhai said that this contention was also misleading as the goods of their merchants were also meant for export and were to be delivered to exporters who had purchased these in advance and that they had also to pay losses to the exporters if they failed to deliver goods in time in Bombay. Thus they cited the instance of the merchant who had to pay a loss of Rs.50,000 to exporters like Ralli, Volkart, etc. Thus by giving preference to Ralli injustice was done to several other merchants.

It was also pointed out with reference to Kalpi that there were some instances in which Messrs. Ralli Bros. actually refused to take the waggons offered to them by the Railway Company as they had no goods to load them with, thus showing that they were offered in many cases waggons over and above their requirements.

4. With reference to the so-called large amount of trade of Messrs. Ralli Bros, Messrs. Mehta and Naranjibhai contended that they were in a position to show a larger amount of trade because of the facilities afforded to them by the Railway company and that if similar facilities were allowed to Indian Merchants they too would develop as extensive a business as Ralli's.

5. Messrs. Mehta and Naranjibhai further mentioned that though the goods yards at Cawnpore and Kalpi were closed for a certain number of days there were instances wherein several merchants' goods were admitted by the Goods Inspector in the case of Cawnpore. Mr. Rumboll said that there was some mistake with reference to the instances quoted. Messrs. Mehta and Naranjibhai however observed that there was no denying the fact that Messrs. Ralli Bros. were having their goods admitted daily and that this was a great injustice to the Indian merchants, specially as the Goods Inspector had received definite orders from his superiors to close the gates. Sir T Wynne asked for an explanation for this, when Mr.

Rumboll stated that Mr. Martin the Goods Inspector, might have admitted the goods considering that there was accommodation enough.

6. Messrs Mehta and Naranjibhai stated that the goods yard was occasionally closed within a couple of hours of being opened, thus causing much inconvenience, annoyance and unnecessary expenditure to the merchants whose goods were not allowed to get in. Two instances of this nature were cited, one which happened on the 12th July and the other which happened on the 22nd July. It was contended that the Goods Inspector informed the three Dalals before the opening of the gates that three Khambhas (pillars or sections) would be given to each Dalal; each area of three Khambhas having a capacity of 2,500 bags (if heaped as usual i. e. 5 or 6 bags in a heap) so that taking the number of Dalals there was a capacity of 7,500 bags on the 22nd July. Despite this the Goods Inspector entered only 2 000 bags, closing the gate within a couple of hours of opening it. At this point the meeting called three Dalals, who were present there, and cross-examined them. The Dalals stated that the Goods Inspector did not tell them that he would enter only 2,000 bags, but that he told them that he would give them the area of three Khambhas each. Sir T. Wynne called Mr. Martin the Goods Inspector and asked him for his explanation. He said that he told the Dalals that he had accommodation for 2,000 bags only. Sir T. Wynne said "Now here we have statements from both the sides and they are at variance, so that the only way out of the difficulty would be to verify them by referring to the station book." On the Dalals being again questioned they said that there was a large space left in the goods yard at the time of the closing of the gates, also that they went to the Goods Inspector several times and asked him to admit more goods but that he refused. They also stated that the goods of certain merchants were admitted after the closing of the gates. Mr. Martin on being questioned by Sir T. Wynne regarding this allegation said that excepting Messrs. Ralli Bros. goods of no others were entered and that there could be no possibility of mistake as the key of the other gate was with him. At this juncture another Dalal was called and examined. He stated that Kilachand Deochand's goods were admitted by another gate after the closing of the usual gate for the other merchants. Sir T. Wynne asked Mr.Martin if this was true, Mr.Martin replied thatit was not so.The Station register was sent for and it was seen that on the 22nd Kilachand

Deochand's goods were admitted to the extent of about 300 bags. The Dalal stated that he had entered 81 bags by the second gate and others by the usual gate. Messrs. Mehta and Naranjibhai requested Sir. T. Wynne that some steps in the shape of a notice might be taken to prevent the inconvenience and unnecessary expense to merchants caused by the uncertainty as to whether the Goods yard would be open or closed. Mr. Rumboll informed them that in future a notice would be posted in a prominent position duly informing the merchants whether the Goods yard would be closed or open the following day. Messrs. Mehta and Naranjibhai thought that it would be better if the gates of the Goods Yard were kept open the whole day and not peremptorily closed up within a couple of hours. Mr. Rumboll said that he regretted his inability to bind himself to this but that he would take care that the goods yard would be opened only when there was sufficient capacity for taking goods the whole day.

7. Messrs. Mehta and Naranjibhai said that since last May a separate tin shed was given for the use of Messrs. Ralli Bros. This was said to be done for the good of the Indian merchants, as otherwise Mr. Rumboll said Messrs. Ralli Bros. would fill up the whole yard with their goods, just as Messrs. Louis Dreyfus & Co. once did; Messrs. Mehta and Naranjibhai observed that whatever might be the case no undue preference should be given to any particular firm and pointed out that though sometimes Messrs. Ralli Bros' tin shed lay practically empty, other merchants were not allowed to stock their goods there. Mr. Rumboll said that this was not the case.

8. Sir T. Wynne asked whether there were complaints with regard to the E. I. Railway at Cawnpore ; after some consultation with several Cawnpore merchants Messrs. Mehta and Naranjibhai said that it might be due to the fact that there was a lesser trade done with the E. I, Railway.

9. Messrs. Mehta and Naranjibhai proposed that in order to avoid undue preference, undue partiality, etc. it would be better if the Railway authorities adopted their suggestion viz., that there should be a serial entry and serial loading of goods. They said that if the Railway authorities saw their way to adopt this suggestion there would be no further cause for complaint. Sir T. Wynne asked whether the Indian Merchants' Chamber and

the Cawnpore merchants were in favour of this suggestion. Messrs. Mehta and Naranjibhai replied that the Indian Merchants' Chamber was in favour of this suggestion and that the majority of the Cawnpore merchants were also in favour of it. Major Hepper asked whether it would suit the Indian merchants if the "One bag, One Vote" principle were adopted. Messrs. Mehta and Naranjibhai replied that it would. Mr. Rumboll said that it would not as it would cause great inconvenience and perhaps some injustice to Indian merchants. Messrs. Mehta and Naranjibhai observed that there would be no injustice but that on the contrary if the principle were put into operation it would be dealing with all the merchants fairly, impartially and with justice. Sir T. Wynne said that it was a serious question which he required some time to consider and that it would be better if it were given in black and white so that there could be no mistake about it afterwards. Messrs. Mehta and Naranjibhai said that they would send to him their proposal soon.

10. It was finally settled that Messrs. Mehta and Naranjibhai should see Mr. Rumboll at Bombay and discuss the proposal with him and then send the result to Sir T. Wynne. Sir T. Wynne, Major Hepper and Mr. Rumboll asked whether it would be fair to Messrs. Ralli Bros. to give them a small number of waggons, as in their opinion the proposal of serial entry and serial loading would lead to that. Messrs. Mehta and Naranjibhai replied that perhaps this difficulty could be evaded by arranging that on particular days particular merchants should be considered to have priority of entry in the goods shed. Sir T. Wynne, Major Hepper and Mr. Rumboll said that they feared that the proposal of the serial entry and serial loading of goods, if adopted, would lead to a free fight outside the gates. Messrs. Mehta and Naranjibhai said that they were firmly of opinion that this would not be the case and that they considered the proposal a very fair one. Mr. Rumboll said that he would from that day cancel his order regarding one-third of the waggons being given to Messrs. Ralli Bros. but that he would reissue the order if he thought it necessary. It was further arranged that after Messrs. Mehta and Naranjibhai had submitted their proposal to Sir T. Wynne Mr Rumboll would give a trial to the scheme for about two or three months at Cawnpore and Kalpi stations and that another meeting would be called at the end of December next to consider as to how the scheme had worked in practice.

The meeting then dispersed after Mr. Mehta had expressed the thanks of the Indian Merchants' Chamber and the Cawnpore merchants to the Hon. Sir T. Wynne, Major Hepper, Mr. Rumboll and Mr. Hanson for holding this meeting of enquiry and he (Mr. Mehta) hoped that the grievances would be redressed soon and effectively.

Government of India.

Railway Department,

(Railway Board).

No. 1622 R. T.

Simla,

Dated the 24th August, 1912.

To

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,

BOMBAY

Dear Sir,

In your letter of the 8th July 1912 addressed to the Member for Commerce and Industry you gave expression to certain complaints by Indian merchants at Cawnpore in connection with the allocation of railway goods wagons and other matters.

As you are aware the President of the Railway Board met your Chamber in Bombay in the middle of July when the subject of your letter and other matters were fully discussed.

As an outcome of this meeting a further conference was held in Cawnpore at the end of July, the conference being presided over by the President of the Railway Board, your Chamber, the Cawnpore merchants and the Railways concerned being fully represented.

At this conference certain arrangements were arrived at, and it was decided to hold another meeting in December next to see how these arrangements had worked.

With respect to your Chamber's reference, therefore, at the present time no further action appears necessary, and I am only to ask that you will send to the Railway Board six spare copies of the minutes of the meeting held at Cawnpore.

In connection, however, with the subjects brought forward by your Committee, Messrs. Mansey Lakhamsey, Govindji Jetha and others submitted a memorial to the Governor General in Council asking that a commission be appointed under Chapter V of the Railway Act of 1890 to hear their complaint against the Great Indian Peninsula Railway under Section 42 of that Act.

I am now directed to enquire whether in light of the meeting held with your Chamber in Bombay and the conference in Cawnpore, the petitioners still desire to proceed with their request that their grievances against the Great Indian Peninsula Railway should be tried by a commission to be formed under Chapter V of the Railway Act.

Yours faithfully,
C. T. ANDERSON,
for Secretary Railway Board,

Enclosure—Nil.

APPENDIX S.

Wharfage Rules.

Wari Bunder.
Bombay, 21st June, 1912.

To

THE PRESIDENT AND MEMBERS OF THE
INDIAN MERCHANTS' CHAMBER AND BUREAU.

Gentlemen,

I have great pleasure in forwarding to you a copy of the Judgment delivered by the Chief Judge, Small Causes Court, in a suit filed against the G. I. P. Ry. The suit relates to the wharfage charged by the Rail-

way Company on part consignments. The Judge has held that wharfage can only be levied on a consignment when the whole of it is ready for delivery but that the Railway Company cannot charge wharfage on the part of a consignment that is ready for delivery.

You might perhaps not be aware that about 1½ year ago the Railway Company issued notification that it will collect wharfage on part consignments. The Judge has held that such notification has not been sanctioned by the G. G. which is required under the Indian Railway Acts.

I understand on good authority that the Railway Company has now asked the Governor General's sanction to the said notification.

Another notification was also issued at the same time as the former one, intimating that all goods not available for delivery before 6 p.m. was reckoned as not having arrived on that day so that on the following day no wharfage would be charged. Formerly all goods available for delivery after 3 p.m. were considered as available on the following day. This notification will also most probably be submitted to the G. G. for its sanction.

I have therefore to request you to consider the matter and make representations to the G. G. to withhold its sanction to the two notifications as you are well aware the same will work very detrimentally to the interests of Merchants.

The attitude of the G. I. P. Railway towards the Native Merchants has always been a cold one. It has never done anything for the convenience of the Merchants. On the contrary it has been putting difficulties in the way, such as the present one, complained of, and I think it is the duty of the Chamber to move in the matter and let the Railway Company know that the Chamber can and does look after the interests of Native Merchants.

I have the honour, to be,

Gentlemen,

Your most obedient servant,

KHIMJI BHARMAL.

In the Court of Small Causes at Bombay.

Suit No, 17667 of 1911.

Hirji Khetsey and 2 Khetsey Khetsey trading as Hirji Khetsey & Co.... ... ... Plaintiffs.

versus

G. I. P. Railway ... ... Defendant.

Monday, 22nd April, 1912.

JUDGMENT.

Plaintiffs in this case sue to recover moneys had and received by the Defendant Railway Co. under the following circumstances. Plaintiffs consigned one bale F. P. cotton and 3 bundles tarpaulins under one Railway Receipt at Bhagutpore for carriage to Bombay. The bale of cotton was made available for delivery at 11 a.m. on 27-7-11. The 3 bundles tarpaulins were made available for delivery at 3-10 p.m. on 29-7-11. The 30th July 1911 was a Sunday and on 31st July consignees took delivery of the whole consignment. The Defendant Railway Company have charged wharfage on the one bale F. P. cotton for 28th, 29th and 30th July claiming to do so by virtue :—

(1) Of Rule 3 (1) of the Rules sanctioned by the Governor General in Council under Section 47 sub-section (3) of the Indian Railways Act 1890 (IX of 1890) for and applicable to all Railways in British India under sub-section (1) clause (f) of the said section.

(2) Of two notifications issued by the Railway Company dated 8-6-10 whereby the Railway Company intimates that wharfage will on and after 1st July 1910 be charged on part consignments available for delivery if not removed before closing time on the day following that on which such part consignments are made available for delivery.

The present suit is to recover such wharfage charges which Plaintiffs claim to be illegal.

With regard to the two notifications the Railway Company alleges that the Plaintiffs had notice of them and they therefore formed part of the contract between the Railway Company and the Plaintiffs and, secondly that in any event, these notifications are consistent with Rule 3 (1) of

the Rules above referred to as having been sanctioned by the Governor General in Council. With regard to the first point, these two notifications if inconsistent with Rule 3 (1) of the Rules above referred to have not received the sanction of the Governor General in Council as required by sub-section (3) section 47 of the Indian Railways Act and are therefore of no effect (see Hari Lal V. Bengal Nagpur Railwey 15 Cal W. P. 195) and moreover the evidence shows that the only notice which the Plaintiffs might have had of these notifications is the fact that they were communicated for criticism to the Association of which tho Plaintiffs are alleged to be members. No evidence is adduced to show Plaintiffs actually knew of these notifications or contracted with the Railway Company on the basis of them. As to the doctrine of constructive notice in mercantile contracts see Lerrano v. Campbell 1 2B (1891) 283 ; Joint Stock Bank V Simmons (1892) A. C. 201 per Lord Herschel Manchester Trust v Furness Withy 2 2B. (1895) 282, section 45 of the Indian Railways Act gives Railway Companies power to charge reasonable terminals and by virtue of section 3 (14) wharfage is a terminal but this is qualified by section 47 (3) of the Act which required that rules relating to wharfage made under sub-section (1) of the same section should before taking effect be sanctioned by the Governor General in Council and published in the Gazette of India. Unless therefore such sanction and publication have taken place any charge purporting to be a terminal is not such and therefore this Court's jurisdiction is not ousted under section 41 of the Act until such sanction and publication have been accorded. I therefore hold that with regard to these two notifications in so far as they are a departure from Rule 3 (1) of the sanctioned Rules; they are of no effect and not binding on the Plaintiffs and the Plaintiffs did not deliver their goods to the Railway Company on the basis of them.

The next point is whether the Railway Company can charge wharfage in this case by virtue of Rule 3 (1) of the Rules sanctioned by the Governor-General in Council for all Railway Companies on 3-7-02. The Plaintiffs do not dispute the right of the Railway Company to charge wharfage but say that the right to charge wharfage only arises after arrival of the complete consignment. There is no evidence before me to show that the Railway Company has adopted Rule 3 (1) of the Rules

made by the Governor General in Council under section 47 (3) on 3-7-02 as applicable to all Railway Companies and that such adoption has been notified in the Gazette (see Bengal Nagpur Railway *v.* Rampratap Jhaveswandas 15 Cal L. J. 215) but I understand that it is admitted that the General Rule 3 (1) has been sanctioned for the Defendant Railway Company. However, I am of opinion that even if Rule 3 (1) of the Rules issued by the Governor General in Council is taken as sanctioned and published for this particular Railway Company this rule does not cover a case like the present. Rule 3 (1) says in effect that wharfage may be charged by the Railway Company on all goods not removed from the Railway premises before closing time on the day following that on which they are made *available for delivery*. The Railway Company has up to 1st July 1910 only charged wharfage on a complete consignment not taken delivery of before closing time on day following day on which such complete consignment was made available for delivery which shows how the Company has been accustomed to construe the Rule. The notification of 8th June 1910 is headed " alteration in wharfage Rules" etc ; which shows that the Defendant Company intended to alter the effect of Rule 3 (1). However, apart from this, I do not think goods consigned under one Railway Receipt are " available for delivery until the whole consignment has arrived and is available for delivery. I do not see there is any obligation on consignee to take delivery piece-meal. The Railway Company has control of the transit and it is easily conceivable that the consignee may be put to considerable inconvenience and expenses if he is called upon to take delivery piece-meal of goods bailed by him in one lot to the Railway Company. I therefore hold that the Plaintiff is entitled to recover the amount of wharfage paid by him on the bale of $\frac{1}{4}$-0 cotton referred to.

Verdict 0-10-3 and costs thereon and Rs. 5- professional costs.

True Copy.

23-5-12.

Copy applied for on 13th May 1912.
Copy ready on 23rd May 1912.
Copy delivered on——Dr.——

APPENDIX T.

Renewal of the Mail Contract with the B.I.S.N. Company.

R. S. R. No. 9685 of 1912.

From

M. M. S. GUBBAY, ESQUIRE, B.A., I.C.S.,
COLLECTOR OF CUSTOMS,
BOMBAY.

To

The Secretary,
The Indian Merchants' Chamber & Bureau,
Bombay.

Bombay Custom House.
23rd May, 1912.

Sir,

I am directed to forward for the favour of an expression of the views of your Chamber the enclosed paper regarding the renewal of the existing Mail Contract with the British India Steam Navigation Company.

2. The Memorandum referred to in paragraph 3 of letter No, 413 F. P., dated 30th March 1912, from the Director General, Post Offices, will be found at page 3 of the printed enclosures to Government Resolution No. 1618 of 6th May 1912, the proposed time-table and schedules at pages 5 to 11, The proposed time-table at page 6 for the Bombay-Karachi and Persian Gulf (Slow Mail) has been amended as shown in the time-table printed on the reverse of Government Resolution, Financial Department No. 1730 ot 17th May 1912, copy of which is enclosed with this letter.

I have the honour to be,
Sir,
Your most obadient servant,
M. M. S. GUBBAY,
Collector of Customs.

Postal Matters.

Question regarding the renewal of the existing mail contract with the British India Steam Navigation Company.

No. 1618.

Financial Department.

Bombay Castle, 6th May 1912.

Letter from the Director General of the Post Office of India, No 413-E.P., dated 30th March 1912 ;—

"I have the honour to inform you that the question of the renewal of the existing mail contract with the British India Steam Navigation Company is now under consideration.

"2. The services which are provided for in the existing contract are the following :—

(a) *Between India and Burma.*

(1) Direct weekly contract service (speed 15 knots) between Calcutta and Rangoon.

(2) Direct weekly contract service (speed 12 knots) between Calcutta and Rangoon.

(3) Direct weekly contract service (speed 10 knots, with option on the part of Government to require the speed to be raised to 11 knots) between Calcutta and Rangoon.

(4) Weekly contract service (speed 11 knots, with option on the part of Government to require the speed to be increased to 12 knots) between Chittagong, Akyab, Kyaukphyoo, and Rangoon, with calls at Sandoway in the fair season.

(5) Direct weekly contract service (speed 12 knots) between Madras and Rangoon.

(b) *Between Burmese ports.*

(6) Thrice-weekly contract service between Rangoon and Moulmein.

(7) Weekly contract service (speed 9 knots) between Rangoon, Tavoy, and Mergui.

(8) Fortnightly contract service (speed 7½ knots) between Moulmein, Yeh, Palaw, Tavoy, Mergui, and Bokpyin.

(c) *Between Bombay and Karachi.*

(9) Direct weekly contract service (speed 15 knots) between Bombay and Karachi.

(10) Weekly contract service (speed 9 knots) between Bombay and Karachi calling at coast ports of Kathiawar and Cutch.

(d) *Between Karachi and the Persian Gulf.*

(11) Weekly contract (slow) service (speed 8 knots) between Karachi and Busrah, calling at intermediate Persian Gulf ports.

(12) Weekly contract (fast) service (speed 13 knots) between Karachi and Busrah, calling at *principal* Persian Gulf ports.

(e) *Between Tuticorin and Colombo.*

(13) Daily contract service (speed 12 knots) between Tuticorin and Colombo.

(f) *Between India and Burma and the Straits Settlements.*

(14) Direct weekly contract service (speed 10 knots) between Rangoon and Penang and Singapore.

(15) Fortnightly non-contract service from Negapatam to Penang and Singapore.

"3. It has been generally recognised that some of these services hardly meet all the postal and commercial requirements of the present day, and, with the permission of the Government of India, I have entered into negotiations with the British India Steam Navigation Company with a view to the introduction of greatly improved services under a new contract. I have also been instructed by the Government of India to consult the several local Governments concerned, as to the modifications

and improvements which it is proposed to introduce in the mail services in which they are respectively interested, I accordingly append, for the information of the Government of Bombay, a printed extract* from my office proceedings on the subject, The memorandum† (at pages 15 to 18 of the proceedings just referred to) forming one of the enclosures to my letter No. 93-F.P., dated the 19th February 1912, to the Government of India, shows the improvements and modifications proposed, the times tables‡ (at pages 19 to 25) accompanying the Right Hon. Lord Inchcape's letter of the 2nd March 1912, show how the various service, are proposed to be worked, and the schedule|| of these services (a pages 26 to 33) sent with Mr. Monteath's letter of the 14th idem, is intended to take the place of the corresponding schedule in the existing contract.

"4. I shall be much obliged if you will now kindly favour me, at an early date, with the views of the Government of Bombay on the proposed mail services of the British India Steam Navigation Company in which they are interested. I shall also be grateful of any further suggestions of His Excellency the Governor as to the modification or imt provement of the proposed mail services."

Letter from the Director General of the Post Office of India. No. 458-F.P., dated 9th April 1912 :—

"In continuation of this office letter No. 413-F.P., dated the 30th ultimo, I am desired by the Director General to send you the accompanying extract§ from a letter which he has received from the Managing Agents, British India Steam Navigation Company, Calcutta, and to ask you kindly to favour him with an expression of the opinion of the Bombay Government as to the advisability or otherwise of the changes proposed therein."

Resolution.—Copies of the letters from the Director-General of the Post Office of India and accompaniments should be forwarded to the

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* Printed as an accompaniment to this Resolution.
† *Vide* page 4 of the accompaniment to this Resolution.
‡ *Vide* pages 6 and 7 of the accompaniment to this Resolution.
|| *Vide* pages 8 to 10 do do
§ Printed as an accompaniment to this Resolution.

Commissioner in Sind, the Commissioner of Customs, Salt, Opium and Abkari, the Agent to the Governor, Kathiawar, and the Political Agent, Cutch, with a request that Government may be favoured at a very early date with their views on the proposed mail services of the British India Steam Navigation Company in which the Government of Bombay are interested. The Commissioner of Customs, Salt, Opium and Abkari should be requested to consult the Chamber of Commerce, Bombay, the Indian Merchants' Chamber and Bureau, and the Bombay Presidency Trades Association, Limited, and to forward the opinions of these bodies to Government with his report The Commissioner in Sind should be requested to consult the Chamber of Commerce, Karachi, and forward its opinion to Government.

R. D. BELL,
Under Secretary to Government,

To

The Commissioner in Sind,
The Commissioner of Customs, Salt, Opium and Abkari,
The Agent to the Governor, Kathiawar,
The Political Department of the Secretariat,
The Revenue Department of the Secretariat.

MEMO.

N. B.—The line numbers here shown are those assigned to the several lines in the schedule attached to the existing contract.

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* * * *

Line No 10.

It is proposed to increase the speed on this Line from 9 to 10 knots and possibly some of the ports of call may have to be revised.

Line No. 11 (Slow service).

Under terms of proviso (3) of clause 5 of the existing contract, the Company are at present running this service fortnightly (instead of weekly) as a provisional (and not entirely satisfactory) arrangement. It is proposed under the new contract to make this service permanently a weekly one and not to allow the Company the option of making it fortnightly. It is further proposed to add Chardar, Dubai and Henjam (see Note on Line 12) as contract ports of call and to arrange which ports will be regular ports of call and which will be visited once a fortnight only. The speed of this Line is proposed to be raised from 8 to 10 knots.

Line No. 12 (Fast service).

It is proposed to make this Line definitely a permanent one under the new contract (vide clause 21 of existing contract) and to require the Company to maintain a steam launch at Bushire in connection with this service and that on Line No. 11. The call at Linga will become unnecessary when Line No. 11 becomes weekly. If possible Henjam will be substituted. If this is not possible, Henjam will be visited by the steamers of Line No. 11.

Line No. 13.

No change is proposed, but power will be taken to discontinue this line in the event of its not being required hereafter, with a proportionate reduction in the subsidy.

* * * *

Proposed Line No. 15.

Fortnightly between Bombay and Mombasa, Zanzibar, Delagoa Bay and Durban at 10 knots.

It is proposed to include this service as an additional one in the new contract. On the voyage from Bombay the service would, on alternate

sailings, include Seychelles and some of the other smaller East African ports where regular fortnightly calls would not be justified. The ports to be so called at, and other details connected with the service, will need to be gone into further.

* * * *

With reference to your confidential demi-official No. 26-Con., dated the 5th February 1912, the proposal to establish a British contract service between Bombay and East and South Africa is a most desirable one from every point of view, provided it is not so slow as to be practically useless.

2. I understand the service will be worked in the following manner:—

A (Steamer leaving Bombay every four weeks.)	B [Steamer leaving Bombay every four weeks.]
Ports of call.	*Ports of call*
Seychelles.	...
.....	Mormagao.
.....	Lamu.
Mombasa.	Mombasa.
Zanzibar.	Zanzibar.
Mozambique.	.....
Beira.	.....
Delagoa Bay.	Delagoa Bay.

3. I would suggest that B steamer should also call at Beira, that is to say, the ports to be called at every fortnight should be Mombasa, Zanzibar, Beira, and Delagoa Bay. From a Post Office point of view, Beira is an important port, as all correspondence for Rhodesia passes through it.

4. As for the rest, from our point of view we do not want a call at Mormagoa as we have already got a daily service by railway to that port; for Lamu the mails are smaller than for Ibo; but if the Company could

see their way to calling at Daresalem in German East Africa once in four weeks that would be an advantage to the Post Office, as there is a good deal of correspondence to be despatched from Bombay to that place.

BOMBAY AND KARACHI.

Line No. 10 (Formerly No. 9)—Weekly—15 Knots.

Outwards.

Leave	Bombay	...	Friday morning.
Arrive	Karachi	...	Saturday evening.

Inwards.

Leave	Karachi	...	Thursday evening.
Arrive	Bombay	...	Saturday morning.

Monsoon allowance as usual.

BOMBAY, KATHIAWAR COAST AND KARACHI.

Line No. 11 (Formerly No. 10)—Weekly—10 Knots.

Outwards.

Leave	Bombay	...	Monday.
,,	Porebunder	...	Tuesday.
,,	Dwarka	...	,,
,,	Cutchmandvie	...	,,
Arrive	Karachi	...	Wednesday.

Inwards.

Leave	Karachi	...	Monday.
,,	Cutchmandvie	...	Tuesday.
,,	Dwarka	...	,,
,,	Porebunder	...	,,
Arrive	Bombay	...	Wednesday.

In the monsoon season Kathiawar ports are omitted.

BOMBAY, KARACHI AND PERSIAN GULF (FAST MAIL.)

Line No. 12 (formerly No. 11)—13 Knots, between Karachi and Busreh.

Outwards.

Leave	Bombay ...	... Thursday.
,, ...	Cutchmandvie	... Friday.
Arrive—Leave ...	Karachi ...	... Saturday.
,, ...	Muscat ...	... Monday.
,, ...	Bushire ...	... Wednesday.
,, ...	Mahomerah ...	... Thursday.
Arrive	Busreh ...	... ,,

Inwards.

Leave	Busreh ...	... Saturday.
,, ...	Mahomerah ...	... ,,
,, ...	Bushire ...	... Monday.
,, ...	Muscat ...	... Wednesday.
Arrive... ...	Karachi ...	Thursday.
Leave		Friday.
,, ...	Cutchmandvie...	... Saturday.
Arrive... ...	Bombay ...	... Sunday.

BOMBAY, KARACHI AND PERSIAN GULF (SLOW MAIL.)

Line No. 13 (Formerly No. 12)—Alternate weekly Service.

		One week.	*Alternate week.*
Leave ...	Bombay	... Thursday morning	... Thursday morning
Arrive ...	Karachi	... Saturday ,,	... Saturday ,,
Leave ...	,,	... Sunday noon	... Sunday noon.
,, ...	Pasni	... .	... Monday ,,
,, ...	Gwadur	... Monday noon	... ...
,, ...	Charbar	... .	... Tuesday morning.
,, ...	Muscat	... Tuesday evening	... Wednesday noon.
,, ...	Jask	... Wednesday noon	... ,,

Leave	... B. Abbas	... Thursday evening	... Thursday evening.
„	... Henjam	... Friday morning	... Friday morning.
„	... Linga	... „ evening	... „ evening.
„	... Dubai	... .	... Saturday noon.
„	... Bahrein	... Sunday morning	... Monday morning.
Arrive	... Bushire	... Monday „	... Tuesday „
„	... Mahomerah	... Tuesday „	... .
„	... Busreh	... Tuesday evening	... .
Leave	... „	... Friday morning	... .
„	... Mahomerah	... „ noon	... .
„	... Bushire	... Saturday noon	... Wednesday morning
„	... Koweit	... „	... Thursday noon
„	... Bahrein	... Sunday evening	... Friday evening
„	... Dubai	... .	... Saturday „
„	... Linga	... Monday evening	... .
„	... Henjam	... Tuesday morning	... Sunday morning
„	... B. Abbas	... „ evening	... „ evening.
„	... Jask	... .	... Monday noon.
„	... Muscat	... Wednesday evening	... Tuesday evening.
„	... Charbar	... .	... Wednesday noon.
„	... Guadur	... Thursday noon	... .
„	... Pasni	... .	... Thursday noon
Arrive	... Karachi	...Friday morning	... Friday morning.
Leave	... „	... „ evening	... „ evening.
Arrive	... Bombay	... Sunday noon	... Sunday noon.

* * * * *

BOMBAY AND EAST AFRICA.

Line No. 16—Fortnightly service—10 knots.

	One fortnight	*Alternate fortnight.*
Leave Bombay	... Thursday 0	... Thursday 0
Arrive Seychelles	... Friday 8	... ...
„ Lamu	... ...	... Monday 11

Arrive Mombasa	... Wednesday 13	... Wednesday 13
Leave „	... Thursday 14	... Thursday 14
Arrive Zanzibar	... Friday 15	... Friday 15
Leave „	... Saturday 16	... Saturday 16
„ Daresalem	... ...	... Sunday 17
„ Mozambique	... Tuesday 19	... ...
„ Beira	... Thursday 21	... Thursday 21
Arrive Delagoa Bay	... Saturday 23	... Saturday 23
Leave „	... Sunday 24	... Sunday 24
Arrive Durban	... Monday 25	... Monday 25

Inwards.

Leave Durban	... Thursday 28	... Thursday 28
„ Delagoa Bay	... Saturday 30	... Saturday 30
Arrive Zanzibar	... Saturday 37	... Saturday 37
Leave „	... Sunday 38	... Sunday 38
„ Mombasa	... Monday 39	... Monday 39
Arrive Bombay	... Thursday 49	... Thursday 49

Demi-official, dated the 14th March, 1912.

From

A. M. MONTEATH, Esq.,

To

H. C. SHERIDAN, ESQ.,

Deputy Director General of the Post Office of India.

I enclose herewith, for your information, schedule shewing the lines, also distances, and time occupied between the various ports, which has been made up in accordance with the requirements of the new mail contract.

SCHEDULE A.

* * * *

Line No. 10 (formerly No. 9)

Once a week starting from Bombay and Karachi on fixed days.

Ports.	Distance from port to port	Time allowed for the runs from port to port at 15 knots an hour.	Minimum period of stay at ports.	Remarks.
	Knots.	Hours.		
Bombay ...	...	...	...	In the south-west monsoon the weather may occasionally make it impossible to maintain this rate of speed on the upward voyage. In the monsoon the speed would be calculated on the combined up and down journey, so that any delay in going up would be compensated for by the fair wind returning, provided that arrivals in Bombay are in time for the Post Office to despatch foreign mails by the outgoing Peninsular and Oriental steamers. In the monsoon the steaming distance from Bombay to Karachi and vice versa is taken at 520 knots. The line will, unless Government otherwise sanction, be worked in connection with Line No. 12.
Karachi ... and back	495	33	...	

Line No.11 (formerly No. 10).

Once a week starting from Bombay and Karachi on fixed days.

Ports	Distance from port to port.	Time allowed for the runs from port to port at 10 knots an hour.	Minimum period of stay at ports.	Remarks.
	Knots.	Hours.		The Government may direct the Company's steamers to call at any port or ports between Bombay and Karachi. The minimum period of stay at any such port shall be three hours of daylight, and in the event of a steamer being required to call at any port not here mentioned the time allowed for the voyage between Bombay and Karachi shall be extended proportionately, but if a steamer is not required to touch at one or more of the ports of call specified, the time allowed for the voyage shall be reduced proportionately.
Bombay ...	...	...	Three hours of daylight.	
Porebandar.	257	$25\frac{3}{4}$		
Dwarka ...	65	$6\frac{1}{2}$		
Cutch-mandvie ...	55	$5\frac{1}{2}$		
Karachi ..	182	$18\frac{1}{4}$		
And back by the same route.	...	...		The line will, unless Government sanction be worked in connection with Line No.13. In the monsoon months Kathiawar ports are omitted

Line No. 12 (formerly No. 11).

Once a week starting from Karachi and Busreh on fixed days.

Ports.	Distance from port to port.	Time allowed for the runs from port to port at 13 knots.	Minimum period of stay at ports.	Remarks.
	Knots.	Hours.		
Karachi ...	...	...	...	The Government may direct the Company's steamers to call at any port or ports in the Persian Gulf, in addition to those here mentioned, provided that such extra calls shall not involve additional working expenses on the part of the Company, but this proviso does not apply to additional calls made in consequence of any intermission in the weekly running of Line No. 13. This Line will, unless Government otherwise sanction, be worked in connection with Line No. 10.
Muscat ...	470	36¼		
Bushire ...	605	46½		
Mahomerah..	170	13¼		
Busreh ...	55	4¼		
And back by the same route.	...	...		

Line No. 13 (formerly No. 12.)

A.—Once a fortnight starting from Karachi and Busreh on fixed dates.

Ports.	Distance from port to port.	Time allowed for the runs from port to port at 10 knots an hour.	Minimum period of stay at ports.	Remarks.
	Knots.	Hours.		
Karachi ...	...	...	...	The Government may direct the Company's steamers to call at any port or ports in the Persian Gulf, in addition to those here mentioned, and in such case the period of stay at such port or ports shall be three hours of daylight, and the time allowed for the voyage between Karachi and Busreh shall be extended proportionately. Jask shall be a port of call on the outward voyage only. This Line will, unless Government otherwise sanction, be worked in connection with Line No. 11.
Guadur ...	261	26¼	...	
Muscat ...	258	26	...	
Jask ...	136	13¾	...	
B. Abbas ...	135	13½	...	
Henjam ...	37	3¾	...	
Linga ...	63	6½	...	
Bahrein ...	246	24¾	...	
Bushire ...	175	17½	...	
Mahomerah	170	17	...	
Busreh ...	55	5½	...	

B.—Once a fortnight starting from Karachi and Bushire on fixed dates.

Ports.	Distance from port to port.	Time allowed for the runs from port to port at 10 knots an hour.	Minimum period of stay at ports.	Remarks.
	Knots.	Hours.		
Karachi ...	...	...	...	The Government may direct the Company's steamers to call at any port or ports in the Persian Gulf, in addition to those here mentioned, and in such case the period of stay at such port or ports shall be three hours of daylight, and the time allowed for the voyage between Karachi and Bushire shall be extended proportionately. Linga shall be a port of call on the outward voyage only, and Koweit and Jask on the inward voyage only. This Line will, unless Government otherwise sanction, be worked in connection with Line No. 11.
Pasni ...	190	20	...	
Charbar ...	183	18½	...	
Muscat ...	146	14¾	...	
Jask ..	136	13¾	...	
B. Abbas ...	135	13½	...	
Henjam ...	37	3¾	...	
Linga ...	63	6½	...	
Dubai ...	79	8	...	
Bahrein ...	309	31	...	
Bushire ...	175	17½	...	
Koweit ...	160	16	...	

Line No. 16.

A.– Once a fortnight starting from Bombay and Durban on fixed dates.

Ports.	Distance from port to port.	Time allowed for the runs from port to port at 10 knots.	Minimum period of stay at ports.	Remarks.
	Knots.	Hours.		
Bombay ...	...	...	...	
Seychelles ...	1,772	177¼	...	
Mombasa ...	1,015	101½	...	
Zanzibar ...	130	13	...	
Mozambique.	560	56	...	
Beira ...	490	49	...	
Delagoa Bay.	838	84	...	
Durban ...	300	30	...	

B - Starting from Bombay and Durban on alternate fortnights on fixed dates.

Ports.	Distance from port to port.	Time allowed for the runs from port to port at 10 knots.	Minimum period of stay at ports.	Remarks.
	Knots.	Hours.		
Bombay ...	...	...	...	
Lamu ...	2,275	227½	...	
Mombasa ...	132	13¼	...	
Zanzibar ...	130	13	...	
Daresalem ...	42	4¼	...	
Beira ...	1,010	101	...	
Delagoa Bay.	480	48	...	
Durban ...	300	30	...	

Extract from a letter No. 119, dated 4th April 1912, from the Managing Agents, British India Steam Navigation Company, Calcutta, to the Director-General of Post and Telegraphs.

* * * * * *

Line No. 10.

Reads.	*Alteration suggested.*
In the south-west monsoon weather may occasionally make it impossible to maintain this rate of speed on the upward voyage. In the monsoon the speed would be calculated on the combined up and down journey, so that any delay in going up would be compensated for by the fair wind returning, provided that arrivals in Bombay are in time for the post office to despatch foreign mails by the out-going P. & O. steamers. In the monsoon the steaming distance from Bombay to Karachi and *vice versa* is taken at 520 knots. The line will, unless Government otherwise sanction, be worked in connection with line No. 12.	In the south-west monsoon the weather may occasionally make it impossible to maintain this rate of speed on the upward voyage but every effort will be made to do so consistent with the safety of the ship.
	The line will ordinarily be worked in connection with line No. 12. In the event of the steamers on this line being detained in Bombay for the English Mail and being in consequence obliged to work in Karachi on Sundays Government agree to arrange for their being permitted to do so without being subjected to a fine.

The reason for the suggested alteration appears to be that there is nothing to be gained by the post office by driving the ships on inward voyage. It means extra expense to the Company, simply for the purpose of keeping the average for the up and down voyages within the schedule time.

The privilege of working the steamers at Karachi on Sundays when mail requirements necessitate this without payment of Sunday fees has already been sanctioned by Government.

Line No. 11.

Reads.	*Alteration suggested.*
The Government may direct the Company's steamers to call at any port or ports between Bombay and Karachi. The minimum period of stay at any such port shall be three hours of daylight and in the event of a steamer being required to call at any port not here mentioned the time allowed for the voyage between Bombay and Karachi shall be extended proportionately, but if a steamer is not required to touch at one or more of the ports of call specified, the time allowed for the voyage shall be reduced proportionately. The line will, unless Government otherwise sanction, be worked in connecton with line No. 13, In the monsoon months Kathiawar ports are omitted.	The Government may direct the Company's steamers to call at any port or ports between Bombay and Karachi. In the event of a steamer being required to call at any port not here mentioned the time allowed for the voyage between Bombay and Karachi shall be extended proportionately. The line will ordinarily be worked in connection with line No. 13. In the monsoon months Kathiawar ports are omitted.

It may sometimes happen that three hours stay at Cutch ports is not necessitated by cargo or mail requirements.

Line No. 12.

Reads.	*Alteration suggested.*
The Government may direct the Company's steamers to call at any port or ports in the Persian Gulf in addition to those here mentioned provided that such extra calls shall not involve additional expenses	The Government may direct the Company's steamers to call at any port or ports in the Persian Gulf in addition to those here mentioned provided that such extra calls shall not involve additional expenses

on the part of the Company but this proviso does not apply to additional calls made in consequence of any intermission in the weekly running of line No. 13. This line will, unless Government otherwise sanction, be worked in connection with line No. 10.

on the part of the Company but this proviso does not apply to additional calls made in consequence of any intermission in the weekly running of line No. 13. This line will ordinarily be worked in connection with line No. 10.

Line No. 13 A and B.

Reads.	*Alteration suggested.*
The Government may direct the Company's steamer to call at port or ports in the Persian Gulf in addition to those here mentioned and in such case the period of stay at such port or ports shall be three hours of daylight and the time allowed for the voyage between Karachi and Busrah shall be extended proportionately. This line will, unless Government otherwise sanction, be worked in connection with line No. 11.	The Government may direct the Company's steamers to call at port or ports in the Persian Gulf in addition to those here mentioned and the time allowed for the voyage between Karachi and Busreh shall be extended proportionately. This line will ordinarily be worked in connection with line No. 11. As these steamers will require to work in Karachi on Sundays Government agree to arrange for their being permitted to do so without being subjected to a fine.

Line No. 16 A and B.

Reads.	*Addition suggested.*
Nil.	Steamer to have option of calling at Porebunder or Mormugao on outward and inward voyages.

or

There is a considerable passenger traffic between Porebunder and Mormugao to East and South Africa, which may occasionally necessitate the steamers on this line calling at these ports on outward and inward voyages.

or

* * * * * *

Postal Matters.

Question regarding the renewal of the existing mail contract with the British India Steam Navigation Company.

No. 1730.

Financial Department.

Bombay Castle, 17th May 1912.

Letter from the Director General of Posts and Telegraphs, No. 39S.-F.P., dated 9th May 1912:—

"In continuation of the correspondence ending with this office letter No. 458-F.P., * dated the 9th April 1912, I am desired by the Director General to forward the accompanying copy of a letter which he has received from Mr. A. M. Monteath of the British India Steam Navigation Company, and to ask you kindly to favour him with an expression of the opinion of the Bombay Government as to the advisability or otherwise of the change proposed there in."

Copy of a letter, dated the 30th April 1912, from A. M. Monteath, Esqr., to the Honourable Sir Charles Stewart-Wilson, K.C.I.E. Director General Posts and Telegraphs.

With reference to Lord Inchcape's letter† to you of 2nd March, enclosing time-table embodying the improvements which it is proposed to introduce in the new mail contract, I send you herewith an amended time-table‡ of the Bombay, Karachi and Persian Gulf slow mail service, which I shall be glad if you will kindly substitute for the time-table† already sent you.

We have been giving the matter our further consideration, and have come to the conclusion that the service can only be satisfactorily carried out with five steamers, not four as was formerly intended.

The new time-tables you will notice provide for the steamers going through to Busreh weekly, instead of terminating in alternate weeks at Bushire.

RESOLUTION.—Copies of the letter from the Director General of Posts and Telegraphs and accompaniments should be forwarded to the Commissioner in Sind, the Commissioner of Customs, Salt, Opium and Abkàri, the Agent to the Governor, Kathiawar, and the Political Agent, Cutch, in continuation of Government Resolution No. 1618, dated 6th. May 1912.

R. D. BELL,

Under Secretary to Government.

To

The Commissioner in Sind,
The Commissioner of Customs, Salt, Opium and Abkari,
The Agent to the Governor, Kathiawar,
The Political Agent, Cutch,
The Political Department of the Secretariat,
The Revenue Department of the Secretariat.

* Printed in the preamble of Government Resolution No. 1618, dated 6th May 1912.

† Printed as an accompaniment to Government Resolution No. 1618 dated 6th May 1912.

‡ Printed on the reverse.

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Bombay to Karachi and Persian Gulf and back.

Bombay	...Leave ...		Thursday	12	noon		Thursday	12 noon.
Verawal	... Do.	...190	Friday	7	a. m.	190	Friday	7 a. m.
Mangrole	... Do.	... 22	Do,	9	a. m.	22	Do.	9 a. m.
Karachi...	Arrive...	295	Saturday	12	noon.	295	Saturday	12 noon
	Leave ...		Monday	12	noon.		Monday	12 noon
Pasni ...	Arrive ...	190	Tuesday	7	a. m,			
	Leave		Do.	9	a. m.			
Gwadur...	Arrive	71	Do.	4	p. m.			
	Leave		Do.	6	p. m.			
Charbar...	Arrive...	112	Wednesday	7	a. m.			
	Leave ...		Do.	2	p. m.			
Muscat ...	Arrive...	146	Thursday	6	a. m.	470	Wednesday	8 a. m.
	Leave ...		Do.	6	p. m.		Do	3 p. m.

Jask ...	Arrive...	135	Friday	8 a. m.				
	Leave ...		Do.	4 p m.				
Bunder-Abdas ...	Arrive...	130	Saturday	6 a. m.	247	Thursday	4	p. m.
	Leave ...		Do.	10 p. m.		Do.	10	p. m.
Henjam...	Arrive...	65	Sunday	6 a. m.	65	Friday	7	a. m.
	Leave ...		Do.	7 a. m.		Do	8	a. m.
Linga ...	Arrive...	63	Do.	2 p. m.	63	Do.	2	p. m.
	Leave ...		Do.	5 p. m.		Do.	6	p. m.
Dubai ...	Arrive...				79	Saturday	7	a m.
	Leave ...					Do.	6	p m.
Bahrein...	Arrive...	246	Monday	5 p. m.	264	Monday	8	a. m.
	Leave ...		Tuesday	4 p. m.		Do	6	p. m.
Bushire...	Arrive...	175	Wednesday	9 a. m.	175	Tuesday	1	p. m.
	Leave ...		Do	6 p. m.		Do	6	p. m..
Koweit ...	Arrive...				160	Wednesday	10	a. m.
	Leave ...					Do.	4	a. m.
Maho-merah...	Arrive ..	170	Thursday	11 a. m.	130	Thursday	10	a. m.
	Leave ...		Do.	2 p. m.		Do.	2	p. m.
Busreh ...	Arrive...	23	Do.	4 p. m.	23	Do.	4	p. m.
	Leave ...		Monday	6 a. m.		Monday	6	a. m.
Moho-merah ...	Arrive...	23	Do.	8 a. m.	23	Do.	8	a. m.
	Leave ...		Do.	12 noon		Do.	12	noon.
Koweit ...	Arrive				130	Tuesday	8	a.m.
	Leave ...					Do.	2	p.m.
Bushire .	Arrive...	170	Wednesday	6 a. m.	160	Wednesday	6	a. m.
	Leave ...		Do.	12 noon		Do.	12	noon.
Bahrein...	Arrive...	175	Thursday	8 a. m.	175	Thursday	8	a. m.
	Leave ...		Do.	2 p. m.		Do.	2	p. m.
Dubai ...	Arrive...				264	Friday	4	p. m.
	Leave ...					Do	10	p. m.
Linga ...	Arrive...				79	Saturday	6	a. m.
	Leave ...					Do	10	a. m.
Henjam...	Arrive...	300	Friday	6 a. m.	63	Do.	4	p. m.
	Leave ...		Do	7 p. m.		Do.	6	p. m.
Bunder-Abbas ...	Arrive...	65	Saturday	6 a. m.	65	Sunday	6	a. m.
	Leave ...		Do	6 p. m.		Do.	6	p. m.

Jask ...	Arrive...	130	Sunday	7 a. m.				
	Leave ...		Do.	4 p m.				
Muscat ...	Arrive...	135	Monday	6 a. m.	247	Tuesday	6 a. m.	
	Leave ...		Do	3 p. m.		Do.	12 noon.	
Charbar...	Arrive...	146	Tuesday	7 a. m.				
	Leave ...		Do.	9 a. m.				
Gwadur...	Arrive...	112	Wednesday	6 a. m.				
	Leave...		Do.	8 a. m.				
Hasni ...	Arrive	71	Do.	3 p. m.				
	Leave ...		Do.	5 p. m.				
Karachi...	Arrive...	190	Thursday	12 noon.	470	Thursday	11 a. m.	
	Leave		Friday	10 a. m.		Friday	10 a. m.	
Mangrole ...	Do.	295	Saturday	3 p m	295	Saturday	3 p m.	
Varawal ...	Do	22	Do.	6 p m	22	Do	6 p m.	
Bombay Arrive ...		190	Sunday	1 p m	190	Sunday	1 p m.	

Bombay, 8th July 1912.

From

THE SECRETARY, THE INDIAN MERCHANTS'
CHAMBER AND BUREAU, BOMBAY.

To

M. M. S. GUBBAY, ESQ., I.C.S.,
COLLECTOR OF CUSTOMS,
BOMBAY.

Sir,

With reference to your letter of the 23rd May 1912 bearing No. 2685 of 1912, I have the honour to inform you, under directions of the Committee of this Chamber, that they fully approve of the changes proposed to be made in the existing mail contract with the British India Steam Navigation Company, with reference to timings, increase in speed and services.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary.

APPENDIX U.

Changes in the Department of Commerce.

No. 5482 of 1912.

Revenue Department.

Bombay Castle, 10th June 1912.

From

R. D. BELL, Esquire, I. C. S.,
Under SECRETARY to the GOVERNMENT of Bombay;

To

The SECRETARY, INDIAN MERCHANTS' CHAMBER and BUREAU,

Bombay.

Sir,

I am directed to forward a copy of the letter from the Government of India, Department of Commerce and Industry, No.3244-3249, dated 25th April 1912, addressed by them to the several Chambers of Commerce in India on the question regarding the introduction of certain changes in the administration and arrangement of the Department of Commerce and Industry and the creation of two separate posts of Director of Commercial Intelligence in place of the existing post of Director General of Commercial Intelligence, and to request that this Government may be favoured at a very early date with the opinion of the Chamber on the proposals contained in that letter.

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL,
Under Secretary to Government.

No. 3244-3249.

Government of India,

Department of Commerce and Industry.

Commerce and Trade.

From

THE HON'BLE MR. R. E. ENTHOVEN, C. I. E., I. C. S.,
SECRETARY TO THE GOVERNMENT OF INDIA,

To

THE SECRETARY TO THE BENGAL / BOMBAY / MADRAS / RANGOON / KARACHI / UPPER-INDIA CHAMBER OF COMMERCE.

Simla, 25th April, 1912.

Sir,

I am directed to address you regarding the position of the Department of Commerce and Industry after the removal of the Government of India from Calcutta, and to invite the opinion of your Committee on the proposals contained in this letter.

2. The removal of the Department from Calcutta to Delhi, while placing it for the future in a most central position in relation to the large seaports and Commercial centres of importance, will deprive the Department of the close contact which it has hitherto enjoyed from November to March with the many important business interests of Calcutta. The Governor-General in Council fully recognises that in matters affecting the interests of trade and commerce, constant communication and intercourse between the administration of the Department of Commerce and Industry and those who can best claim to represent the trade and commerce of the country is not only desirable but essential. No doubt these interests are represented on the Legislative Council, and their representatives will, as hitherto, be afforded ample opportunity, both in Council and through the ordinary official channels, of securing due consideration for any representations they desire to make. But the Government of India desire, now that the De-

partment is to be located at Delhi for a considerable period of the year, to ensure that full advantage should be taken of the greater facilities offered by the central position which it will occupy. They propose that this should be achieved in two ways. Firstly, they have in view that regular tours involving a minimum stay at certain important centres should in future be undertaken by the Member and Secretary of the Department at convenient periods. These tours, they consider, might in the aggregate extend, subject of course to special exigencies of public business, to a period of some 12 weeks during the year, and might include a stay of from 3 to 4 weeks each in Calcutta and Bombay, respectively, the remainder being spent in visiting the other important centres, such as Karachi, Rangoon, Madras, Cawnpore, etc., or perhaps, in part in undertaking tours having some especial commercial object. It is not, I am to say, possible to lay down hard and fast rules regarding the probable period of the year at which these places will be visited. This must depend not only upon other demands on the attention of the Department, but also upon the touring arrangements, subject to the sanction of His Excellency the Viceroy, of the Government of India as a whole, and upon special circumstances which might require the presence of the Member for Commerce and Industry at headquarters in his capacity as a Member of the Government of India. It seems probable, however, that the most convenient seasons for touring would be—

(1) the period between the removal of the Government of India from Simla on October 1st and the assembly of the Legislative Council at Delhi for the winter session;

(2) the period between the conclusion of the winter session of the Legislative Council at Delhi, and the assembly of the Government of India at Simla on May 1st;

(3) a short monsoon expedition from Simla,

The first of these periods would probably be most suitable for visiting Bombay and Calcutta. Other centres of importance might be visited in the other suitable seasons. Considering the extent to which the great commercial interests of India are represented either at Calcutta or Bombay, it appears to the Governor-General in Council that it is unnecessary to fix a minimum period of touring for Karachi, Madras

Rangoon, Cawnpore, etc., ; but the object in view would be that in the period allotted to these minor centres, Karachi, Madras, Rangoon and Cawnpore should, if possible, be visited at least once a year.

3. In the second place, I am to observe that the orders issued in 1905 creating a Director-General of Commercial Intelligence for India whose functions were then described as —

(1) to keep the Department of Commerce and Industry in touch with commercial interests and the commercial community,

(2) to supervise Government statistics,

(3) to answer commercial enquiries,

appear now to require some modification. The importance of the Commercial Intelligence Office will be enhanced by the removal of the Department of Commerce and Industry from Calcutta; and it seems probable that one Director-General will hardly be capable in the future of acting as a link between the Department and the commerce of India as a whole. In India there is a natural division of trade between East and West. On the East side jute, rice, tea, coal and Indigo are of leading importance. On the West, cotton, seeds and wheat are the chief objects of trade. It appears, therefore, to the Government of India that a natural duplication of the staff of the Commercial Intelligence Office would be in harmony with the distribution of the trade of the country, and would serve to strengthen the connecting links between the Department and commerce. It is doubtful, from the experience, of the last few years, whether the most active and industrious Director-General of Commercial Intelligence, even by means of incessant travelling, can keep abreast with the developments of trade and commerce in all parts of India and Burma to the extent that is desirable, if he is to supply the Department with constant and complete information. The Government of India, therefore, have in mind the following proposals on which they would be glad to receive the views of the Chambers and Commerce. They propose that there should, in future, be two Directors of Commercial Intelligence, one with headquarters at Calcutta who would be primarily intent on watching the operations of the jute, rice, tea, coal and indigo markets, and one in Bombay who would similarly devote himself to watching the market in cotton, wheat and oil seeds,

These officers might be styled Director of Commercial Intelligence, Eastern Circle and Western Circle, respectively. They would work in close communication with each other, and information collected in either circle would be made fully available to residents in the other, as well as to enquirers from abroad. By a simple duplication of records, commercial enquiries could be replied to equally efficiently and promptly by either officer. At the same time, by the reduction of the area to be visited, each Director would be in position to attain a closer knowledge of commercial matters relating to his charge than is at present possible. The compilation of statistics, under the proposed reorganisation, would be effected in the Department of Commerce and Industry, at headquarters, on a system somewhat similar to that which existed before the appointment of Director-General of Commercial Intelligence was created. I am to observe that the Government anticipate from the measures outlined above a more constant and direct contact between the Department of Commerce and Industry and the great commercial centres of all parts of India than has hitherto prevailed. I am to enquire whether these views have the concurrence of your Chamber.

4. Finally, I am to refer briefly to the future location of certain departments subordinate to the Commerce and Industry Department, which have relations with the commercial community. These are as follows :—

(1) The Post Office Department.
(2) The Telegraph Department.
(3) The Geological Survey.
(4) Chief Inspector of Explosives.
(5) Chief Inspector of Mines.
(6) The Patent Office.

I am to remark that there seems no reason for separating the Post and Telegraph Departments from the Government of India and that it is intended to remove these department to Delhi. Similarly, the headquarters of the Chief Inspector of Explosives must remain with the Government of India. The Chief Inspector of Mines is at present resident at Dhanbaid, and it is not proposed to disturb him. There thus remain for

consideration the Patent Office and the Geological Survey. The Government of India would be glad to receive with the opinion of the Chamber of Commerce on the proposals contained in the earlier portion of this letter, their views in regard to these two departments.

5 I am to request that your reply to this communication may be forwarded through the Government of Bengal / Bombay / Madras / Burma / United Provinces in order that the Government of India may be favoured with the opinion of His Excellency the Governor in Council / His Honour the Lieutenant-Governor on these proposals and your views.

I have, etc.,

R. E. ENTHOVEN,

Secretary to the Government of India

No. 3250—3255.

A copy is forwarded to the Government of Bombay Revenue Department / Madras Revenue Department / Bengal Financial Department / Burma Revenue Department / the United Provinces and Industries Dept., for information.

A copy is also forwarded to the Home Department, for information, with reference to the endorsement from that Department No. 157-Delhi, dated the 28th February 1912.

By order,

A. C. McWATTERS,

Under Secretary to the Government of India.

77-79, Apollo Street,
Bombay, 8th July, 1912.

From
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To
R. D. BELL ESQ., I. C. S.,
UNDER-SECRETARY TO THE GOVERNMENT
OF BOMBAY.

Sir,

By direction of the Committee of this Chamber I have the honour to inform you as below in reference to the opinion they entertain regarding the proposed creation by the Government of two separate posts of Directors of Commercial Intelligence in place of the existing single one of the Director-General of Commercial Intelligence, as referred to in your letter of the 10th June 1912, bearing No. 5482 of 1912.

1. The Committee approve of the proposal that regular tours involving a minimum stay at certain important centres should in future be undertaken by the Member and Secretary of the Department of Commerce and Industry at convenient periods. They deem it a wise step in the right direction. The growing expansion of commerce and industry has made it imperative for some time past that the heads of this important Department should be in more contract and intimate touch with those actively engaged in mercantile pursuits. It is true that commerce is now represented in he Legislative Councils but the Committee cannot refrain from observing that one member for all India when large interests of the most important character as yet remain unrepresented in the Imperial Council, is wholly insufficient. It is impossible that any single member, however capable, can adequately represent those large special interests, such as piecegoods, grain, seeds, cotton, etc, which are the great mainstay of Indian commerce. More than one seat is absolutely essential for commerce in the Imperial

Council. But so long as the Government cannot see their way to find more than one seat, it is a welcome proposal to have the arrangement contemplated by the Government, namely, the suggested tours by the Member and Secretary of Commerce and Industry to the important centres of the largest trades and manufactures. Such tours will be really useful only if they are undertaken at seasons most suitable to the places visited, and if the grievances and suggestions are listened to with patience and sympathy. The tours must result in practical utility if they are to be made at all; and my Committee are strongly of opinion that mere continuance of flying visits now in vogue will never do. The period most suitable for visiting Bombay would be between October 1st and the assembling of the Legislative Council at Delhi for the winter session, as rightly suggested by the Government.

2. The suggestion that instead of there being one Director-General of Commercial Intelligence there should be two Directors of Commerce and Industry, one with head-quarters at Calcutta (Eastern Circle) watching the operations of jute, rice, tea, coal and indigo markets, and the other with head-quarters at Bombay (Western Circle) watching the operations of cotton, wheat, and oil-seeds markets, has the hearty approval of my Committee. It would considerably promote the object contemplated in the first proposal.

3. The Committee are of opinion that for reasons below stated the Departments of the Geological Survey of India and the Patent Office should be removed from Calcutta to Delhi. There is no point in keeping them at Calcutta when all the other important Departments are removed to the new Capital which is more central and convenient to all provinces.

(*a*) All the great Departments of the Government of India should be centred in Delhi so as to enable representatives of all the different provinces, whether official or non-official, to be in touch with their working. Those representatives will not have to travel eastward so distant as Calcutta. The inconvenience was greatly felt for years. This will be now materially obviated.

(*b*) Calcutta is greatly interested in the mineral industry and it is notorious that those interested had an undue share of influence with the

Government there. To continue to keep the Geological Department there would be to enhance that influence to the greater prejudice of the other Provinces interested in mineral industries.

(c) The mere accident of Calcutta having so long been the Capital is no reason why it should continue to be so when circumstances of the time have made it necessary that a more central Capital should be selected where other Provinces may exercise their legitimate influence on Government as much as Calcutta.

I beg to remain,

Sir,

Your most obedient Servant,

J. K. MEHTA,

Secretary.

APPENDIX V.

The Improvement Trust Bill.

Bombay, 8th July 1912.

From

THE SECRETARY, THE INDIAN MERCHANTS' CHAMBER AND BUREAU, BOMBAY.

To

THE SECRETARY,
THE BOMBAY LEGISLATIVE COUNCIL,
POONA.

Sir,

You will be pleased to lay the following representation before the Select Committee appointed to consider the Amendment Bill of the Improvement Trust Act.

With reference to this Bill now before the Legislative Council my Committee beg to avail themselves of the opportunity to bring to your notice the absence of any representative of the Indian Commercial Com-

munity on the Board of the Bombay Improvement Trust, which is entrusted with the responsible work of the improvement of the sanitary condition of Bombay. The Indian Commercial Community has large interests at stake in the development of Bombay and some of the greatest property owners of the City are Indian Merchants. No doubt at the time the Improvement Trust Act was passed there was no organised representative body of Indian merchants. It is conceivable that the rights of the Indian merchants were in consequence overlooked and the Bombay Chamber of Commerce only was given the privilege of returning one member to the Trust. Now however that some important amendments are proposed to be made in the Improvement Trust Act and that the Indian Commercial Community has got in this Chamber a fully representative body the Committee confidently trust that justice will be done to the Indian Commercial Community by granting to this Chamber the right of returning one member to the Bombay Improvement Trust.

It was because of the representative character of the Indian Merchants' Chamber and of the sympathetic desire of the Government to meet the just demands of the Indian Commercial Community that the Government recognised it and granted it under the Council Reform Scheme the important privilege of electing a member to the Bombay Legislative Council and under the declaratory powers of the Bill No. 1 of 1909 the right of returning one representative to the Bombay Fort Trust.

Lastly, the Committee presume that the Government are aware of the recommendation recently made in their letter by the Bombay Municipal Corporation to award this Chamber a seat on the Board of the Improvement Trust.

Under these circumstances the Committee earnestly hope that the Government will be pleased to comply with the request conveyed in this representation.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary.

No. 687 of 1912.

Legal Department:

Bombay Castle, 18th July 1912.

From

P. E. PERCIVAL, Esq.,
SECRETARY to GOVERNMENT,
LEGAL DEPARTMENT;

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER and BUREAU,
77-79 APOLLO STREET,
BOMBAY.

Sir,

I am directed to acknowledge the receipt of your letter dated the 8th July 1912, suggesting an amendment in the Bill further to amend the City of Bombay Improvement Act. In reply I am to state that the question of the constitution of the Board of the Improvement Trust is not relevant to the Bill now before the Council and consequently cannot be considered by the Select committee.

I have the honour to be,
Sir,
Your most obedient Servant,
P. E. PERCIVAL,
Secretary to Government.

APPENDIX W

Attachment of Pay of Military Officers in Execution of a Decree by a Civil Court.

No. 5606.

Judicial Department :

Bombay Castle, 31st July 1912.

From

K. W. BARLEE, Esq.,
UNDER SECRETARY TO GOVERNMENT,
BOMBAY ;

To

THE SECRETARY,
INDIAN MERCHANTS'
CHAMBER AND BEREAU.

Sir,

I am directed to forward herewith a copy of a letter from the Government of India, Army Department No. 8414-1 (A.G.-1), dated the 8th July 1912, on the subject of the attachment of the pay of military officers serving in India in execution of a decree by a Civil Court, and to request that Government may be favoured with the views of your Chamber and Bureau on the proposal contained in that letter.

I have the honour to be,
Sir,
Your most obedient servant,
K. W. BARLEE,
Under Secretary to Government.

Judicial.

No. 8414-1 (A. G.-1).

Government of India.

Army Department.

Dated Simla, the 8th July 1912.

The Chief Secretary to the Government of Madras.
" " " Bombay.
" " " Bengal.
" " " Punjab.
" " " United Provinces.
" " " Burma.
" " " Bihar and Orissa.
" Hon'ble the Chief Commissioner, Assam.
" " " General Provinces.
" " " and Agent to the Governor-General in the North-West Frontier Province.
" The Resident at Hyderabad.
" " in Mysore.
" Agent to the Governor-General in Central India.
" " " Rajputana and Chief Commissioner of Ajmer-Merwara.
" " Agent to the Governor-General and Chief Commissioner in Baluchistan.
" General Officer Commanding, Northern Army.
" " " Southern Army.
" " " 1st (Peshawar) Division.
" " " 2nd (Rawalpindi) "
" " " 3rd (Lahore) "
" " " 4th (Quetta) "
" " " 5th (Mhow). "

The Chief General Officer Commending 6th (Poona) Division
" " " 7th (Meerut) "
" " " 8th (Lucknow) "
" " " 9th Secunderabd) "
" " " Burma "
" " " Kohat Brigade.
" " " Bannu "
" " " Derajat "
" " " Aden "

Sir,

I am directed to address you on the subject of the attachment of the pay of military officers serving in India in execution of a decree by a Civil Court.

2. I am to explain that, under Section 136 of the Army Act, deductions from the pay of a military officer can be made only when authorised by—

(*a*) the Army Act,

(*b*) any Royal Warrant,

(*c*) any law passed by the Governor-General in Council.

Deductions from a military officer's pay, in satisfaction of the decree of a Civil Court, are not authorised under either (*a*) or (*b*) ; while there is a conflict of legal opinion as to whether under (*c*), the Code of Civil Procedure as at present worded, such deductions are permissible or not.

3. It appears to the Government of India desirable that there should be no ambiguity in the law on the subject, and they accordingly have under consideration the question of amending Section 60 of the Code of Civil Procedure so as to avoid conflicting judicial decisions being given under it. Before coming to any decision, however, they would be glad to be favoured with His Excellency the Governor in Council's / His Honour the Lieutenant-Governor's / your opinion as to the form the amendment should take, *viz.* :—

(*a*) whether it should be made clear that one moiety of a military officer's salary is liable to attchment in satisfaction of a decree by a Civil Court, or

(*b*) whether such salary should be entirely exempted from attachment.

4. [In considering the matter His Excellency the Governor in Council / His Honour the Lieutenant Governor / you will doubtless consider it desirable to ascertain the views of the representatives of the different mercantile and trade interests likely to be affected.]

[To Local Governments and Administrations only.]

I am,
Sir,
Your most obedient Servant,
(Sd.) R. HOLLOWAY, *Colonel*,
Offg. Secretary to the Government of India.

Copy forwarded for information to—
The Home Department.
Department of Commerce and Industry.
The Finance Department (Military Finance).
(Sd.) H. F. COOKE, *Major*,
Asst. Secy. to the Govt. of India.

77-79 Apollo Street,
Bombay, 22nd August, 1912.

From
THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER & BUREAU,
BOMBAY.

To
K. W. BARLEE, ESQUIRE,
UNDER SECRETARY TO GOVERNMENT,
BOMBAY.

Sir,

Under directions of the Committee of this Chamber I beg to acknowledge the receipt of your favour of 31st July, 1912, bearing No. 5606, and to inform you in reply that the Committee are of opinion, that it should be

made clear that one moiety of a military officer's salary is liable to attachment in satisfaction of a decree by a Civil Court The Committee fear that otherwise merchants will cease advancing loans to military officers, as there would be then no security for the return of their money.

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary

APPENDIX X.

Insurance Rules,

No. 6454 of 1912.

Revenue Department.

Bombay Castle, 12th July, 1912.

From

R. D. BELL, ESQUIRE, I. C. S.,
UNDER SECRETARY TO THE
GOVERNMENT OF BOMBAY,

To

THE SECRETARY,
INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

Sir,

I am directed to forward extract paragraphs 1 and 2 of the letter from the Government of India, Department of Commerce and Industry (Commerce and Trade), No. 4688-4693-83, dated 18th June, 1912, and a copy of the draft rules under section 39 of the Indian Life Assurance Companies Act, 1912, accompanying it, and to request that you will favour Government with the opinion of the Chamber and Bureau as to the

suitability of the rules and with any further suggestions which the Chamber and Bureau may have to make on the subject.

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL,
Under Secretary to Government.

Extract paras 1 *and 2 of the letter from the Government of India, Department of Commerce and Industry.*

(Commerce and Trade), No. 4688-4693-83, dated 18th June, 1912.)

"I am directed to forward a copy of the draft rules* which it is proposed to issue under section 39 of the Indian Life Assurance Companies Act, 1912 (VI of 1912), and to say that the Government of India would be glad to be furnished with the views of His Excellency the Governor in Council as to the suitability of the rules and with any further suggestions which he may have to make on this subject after consultation with the Chambers of Commerce.

"2. I am to explain that the rules dealing with the qualifications of actuaries and with the audit of accounts [with the exception of rule 2 (1)] are adopted from the rules issued by the Board of Trade under the Assurance Companies Act, 1909. With regard to rule 2 (1) which provides that no person other than a person holding a certificate from a Local Government shall be appointed auditor of a Life Assurance Company, I am to invite a reference to clause 142 of the Indian Companies Bill in which a similar provision has been made regarding the qualifications of auditors. If the provision in question is retained when the Bill becomes law, it may be possible to bring Life Assurance Companies under the general rules as regards audit and qualifications of auditors under the Indian Companies Act. In the meantime, the Government of India consider that it is necessary that only persons holding certificates from Local

Governments should be appointed auditors of Life Assurance Companies and that such certificates should be granted only to members of recognised associations of accountants and to such other persons having knowledge of accountancy as the Local Government may consider fit.

Draft Rules under the Indian Life Assurance Companies Act, 1912.

In exercise of the powers conferred by section 39 of the Indian Life Assurance Companies Act, 1912 (VI of 1912), the Governor General in Council is pleased to make the following rules :--

Part I—Qualifications to be possessed by actuaries

1, Any person who as an actuary investigates the financial condition of a Life Assurance Company or signs valuation returns of Life Assurance Companies shall be either—

(1) a Fellow of the Institute of Actuaries or of the Faculty of Actuaries in Scotland, or

(2) where application is made by a company and where in the opinion of the Governor General in Council special circumstances exist, an Associate of such Institute of Actuaries or of such Faculty of Actuaries, or

(3) such other person having actuarial knowledge as the Governor General in Council may, on the application of a Life Assurance Company, authorise to perform the duties of an actuary.

Part II.—Audit of Accounts.

2. (1) No person other than a person holding a certificate from a Local Government authorising him to audit the accounts of Life Assurance Companies under the Act shall be appointed auditor of a Life Assurance Company.

(2) The auditor or auditors of a Life Assurance Company shall be appointed by the company annually, and in the case of a company having a share capital, such appointment shall be made by election at the annual general meeting of the shareholders.

(3) A director or officer of the company shall not be capable of being appointed auditor of the Company.

(4) The auditors shall make a report on the accounts examined by them, and on every account or balance-sheet prepared under section 7 during their tenure of office, and the report shall state--

(*a*) whether or not they have obtained all the information and explanation they have required ; and

(*b*) whether, in their opinion, the account or balance-sheet referred to in the report is properly drawn up in conformity with the law, and so as to exhibit a true and correct view of the state of the Company's affairs according to the best of their information and the explanations given to them, and as shown by the books of the company.

3. Notice under section 19 of any alteration in—

Part III.—Notice of alteration in the particulars specified in section 19 of the Act.

(*a*) the Charter, Statutes, or Memorandum and Articles or other instrument constituting or defining the constitution of a Life Assurance Company, or

(*b*) the list of directors of such company, or

(*c*) the names and addresses of persons resident in British India authorised to accept on behalf of such company service of process and any other notices required to be served by the Act,

shall be filed with the Registrar, in the Form annexed, within three months from the date upon which such alteration was effected.

FORM

(See Rule 3.)

Pursuant to section 19 of the Indian Life Assurance Companies Act, 1912, notice is hereby given by the _____ constituted in _____ and which _____ has established a place of business / has appointed an agent to obtain life assurance business at _____ in British India of the following alterations in the _____

Signature
(of the person or persons authorised under section 19 (1) (c) of the Indian

Date.

Life Assurance Companies Act, 1912, or of some other duly authorised agent of the company in British India).

Note.

Where an alcteration has been made in the Charter, Statutes, and Memorandum of Articles of a Life Assurance Company or in any other instrument constituting or defining the constitution of such company, this notice must be accompanied by a certified copy of the alteration made and of any deed executed to effect the same and if such alteration or deed is not in the English language by a certified translation thereof.

Part IV.—Custody and inspection of documents under section 27 of the Act.

4. A copy of every account, balance-sheet, abstract, statement or report required by the Indian Life Assurance Companies Act, 1912, to be deposited with the Governor General in Council shall be kept by the Registrar and shall be open to inspection; and any person may procure a copy of any such document or any part thereof on payment of a fee of two annas for every hundred words required to be copied.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To

R. D. BELL, ESQUIRE, I. C. S.,
UNDER SECRETARY TO THE GOVERNMENT OF BOMBAY,
BOMBAY.

Sir,

Under directions of the Committee of this Chamber, I beg to acknowledge the receipt of your favour of the 12th July, 1912,

bearing No. 6454 of 1912, and to give the opinion of my Committee below:—

With regard to Sub-section 3, Section 1, dealing with the "Qualifications to be possessed by actuaries", the Committee fear, that it will give rise to the undesirable practice of admitting many unqualified men to the actuarial profession. They therefore beg to suggest that, instead of empowering Life Assurance Companies themselves to apply for the recognition of any particular individual as an actuary, it should be enacted, that such a power should be given only to the local Governments.

With a view to avoid all such difficulties about obtaining suitable actuaries in this country, the Committee beg to request the Government that they will be pleased to consider the suggestion put forward by this Chamber in their representation regarding the Bill to regulate the operations of Life Assurance Companies. That "some facilities should be provided for Indians to qualify themselves as actuaries."

With regard to auditors, the Committee beg to observe, that Sub-section 1, Section 2, of the Draft Rules will not satisfy the requirements. They beg to hold that the qualifications of Auditors should be fixed by the Government of India and not be left to be fixed by the Local Governments. In this connection I am asked to draw respectfully the attention of the Government to the representation of this Chamber, in reply to your letter No. 8429 of 1911, dated the 8th September, 1911, wherein they had suggested, that the qualification of Auditors on the Public Register should be:—

(*a*) Every fellow, associate or member of an Incorporated body of Professional Accountants and Auditors of Great-Britain and Ireland or of India when formed who may be recognised from time to time by the Government of India.

(*b*) The following public bodies may be recognised for the present:—

1. The Institute of Chartered Accountants.
2. The Scottish Chartered Accountants.
3. The Institute of Chartered Accountants, Ireland.

4. The Society of Incorporated Accountants and Auditors.
5. The Corporation of Accountants
6 The Central Association of Accountants.

Members of the first three Societies are designated, as the Government may be aware, Chartered Accountants, those of the fourth as Incorporated Accountants, of the fifth as Corporate Accountants, and of the last as Associated Accountants.

(c) All the practising auditors at the time of the passing of the Act should be recognised in the first list.

(d) Persons who have passed examinations instituted either by the Government or by any Indian University or by any public body recognised by the Government for the profession of Accountants and Auditors, provided that they have served under registered auditors or worked as accountants for a period of at least two years.

I beg to remain,
Sir,
Your most obedient servant,
J. K. ME HA,
Secretary.

APPENDIX Y.

Holiday's Committee.

No. 3772 of 1911.

Financial Department.

Bombay Castle, 21st November, 1911.

From

R. D. BELL, Esquire, I. C. S.
UNDER-SECRETARY TO THE GOVERNMENT OF BOMBAY.

To

THE CHAIRMAN, INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

Sir,

I am directed to forward, for the information of the Chamber, a copy of Government Notification No. 3769 of to-day's date, regarding

the public holidays recognized by Government under the Negotiable Instruments Act, 1881, for the year 1912. Orders on the suggestion made in the concluding paragraph of the report of the Holidays Committee for 1912, that the Holidays Committee should meet earlier next year and decide for the future what days should be observed as Bank Holidays, will be issued separately.

I have the honour to be,

Sir,

Your most obedient servant,

R. D. BELL,

Under-Secretary to Government.

Financial Department.

Bombay Castle, 21st November, 1911.

No. 3769.

Under Section 25 of Act XXVI of 1881, entitled the Negotiable Instruments Act, His Excellency the Governor in Council is pleased to declare the following days to be Public Holidays during the year 1912, in addition to the New Year's Day (1st January), Good Friday (5th April), and Christmas Day (25th December) which are already specified as holidays under the above Section :

New Year ...	... 2nd January	... Tuesday.
Maha Shivratri ...	... 16th February	... Friday.
Holi... ...	... 2nd March	... Saturday.
Jamshedji-Naoroz	... 21st March	... Thursday.
Ramnavmi ...	... 27th March	... Wednesday.
Easter ...	... 6th and 8th April	...Saturday & Monday.
Cocoanut-Day...	... 27th August	... Tuesday.
Gokul Ashtami	... 4th September	... Wednesday.
Parsi New Year	... 11th and 12th September,,,	... Wednesday & ,,. Thursday.

Ganesh-Chaturthi and Samvat-Sari (Jain)	...	14th September	... Saturday.
Pajusan-(Bhadarva-Sud 5th)		16th September	... Monday.
Khordad Sal ...	...	17th September	... Tuesday.
Dussera ...	...	21st October	... Monday.
Divali... ...	...	8th & 9th November	.. Friday & Saturday.
Bakri-Id... ...	...	20th November	... Wednesday.
Mohurrum ...	...	20th December	... Friday.
Christmas ...	...	24th & 26th Dec	. Tuesday & Thursday.
New Year... ...	...	31st December	... Tuesday.

Note.—The date which may be fixed hereafter for the celebration of the Birth Day of His Majesty the King Emperor will be notified separately in due course.

2. This Notification does not apply to Sind.

By order etc.,
W. H. LUCAS,
Chief Secretary to Government.

True copy.
G. I. SAYANI,
For Superintendent, Financial Department.

No. 743 of 1912.
Financial Department.
Bombay Castle, 4th March 1912.

From

R. D. BELL, Esquire, I. C. S.,
UNDER SECRETARY TO THE GOVERNMENT
OF BOMBAY ;

To

THE CHAIRMAN, INDIAN MERCHANTS'
CHAMBER AND BUREAU,
BOMBAY.

Sir

With reference to the concluding portion of any letter No. 3772, dated 21st November 1911, I am directed to state that the Governor in Council has decided to appoint a special committee to advise on the festivals to be observed as public holidays in future. When these are determined, the

usual Holiday Committee will be appointed annually to fix the dates of the festivals. The special Committee will be informed that the maximum number of holidays to be notified under the Negotiable Instruments Act should be 23 in addition to the 3 prescribed under section 25 of the Act—making 26 in all, that since the holidays are notified under the Negotiable Instruments Act, they should be chosen principally with regard to the banking and mercantile (including trading, shopkeeping) interests and that since persons of various communities (European, Hindu, Musulman, Parsi, Jain and Jew) are concerned in these banking, mercantile, trading and shopkeeping interests regard must necessarily be had to the convenience of these communities as well as to the interests of the bankers, merchants, traders and shop-keepers who are composed of persons from the various communities. The Chairman, Chamber of Commerce, Bombay, has been requested to consult the Chambers or Associations representing the banking, mercantile, trading and shopkeeping interests and to submit proposals for the constitution of the special committee.

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL,
Under Secretary to Government.

77-79, Apollo Street,
Bombay 18th March 1912.

From
THE SECRETARY,
THE INDIAN MERCHANTS'
CHAMBER AND BUREAU,
BOMBAY.

To
R. D. BELL, Esq., I. C. S.,
UNDER SECRETARY TO THE
GOVERNMENT OF BOMBAY,
BOMBAY.

Sir,

By direction of the Committee of this Chamber I beg to acknowledge the receipt of your letter of the 4th inst. bearing No. 748 of 19th of 1912,

on the subject of Public Holidays under the Negotiable Instruments Act.

While welcoming the appointment of a special Committee to consider once for all the question of the Holidays which should be fixed for the different communities and of trade and commerce, my Committee deeply regret that only the Chairman of the Bombay Chamber of Commerce should have been asked by the Government "to consult the Chambers or Associations representing the banking, mercantile, trading and shopkeeping interests" and to submit proposals for the constitution of the special Committee.

In view of the fact that this Chamber is represented on the Holidays Committee for the last two years and that it alone can do justice to the claims of Indian commercial interests it is, in the opinion of my Committee, most essential that they too should have been consulted with regard to the matter in question.

They therefore beg to request that the Government will be pleased to arrange that both the Chairman of this Chamber and the Chairman of the Bombay Chamber of Commerce should be jointly asked to consult the different Chambers and Associations and other bodies representing different communities and to submit proposals for the proper constitution of the special Committee. My Committee lastly beg to hope confidently that their request will be complied with.

I beg to remain,

Sir,

Your most obedient servant,

J. K. MEHTA,

Secretary.

No. 1294 of 1912.

Finincial Department,

Bombay Castle, 2nd April, 1912.

From

R. D. BELL, Esquire, I. C. S.,

UNDER SECRETARV TO TEE GOVERNMENT OF BOMBAY,

To

THE SECRETARY,

INDIAN MERCHANTS' CHAMBER AND BUREAU.

Sir,

In reply to your letter dated 18th March 1912, I am directedto point out that the Chairman, Chamber of Commerce, Bombay, has been asked to consult the different Chambers and Associations, and that in compliance with this request he will necessarily consult the Indian Merchants' Chamber and Bureau as well as other Chambers, Associations and bodies representing different interests. In consulting with the Chairman, the Indian Merchants' Chamber and Bureau will manifestly have ample opportunity for stating their views as to the composition of the Special Committee; and there is, therefore, in the opinion of Government, no necessity for requesting the Indian Merchants' Chamber and Bureau as well as the Chairman, Chamber of Commerce, to consult with all the other Chambers, Associations and bodies interested.

I have the honour to be,

Sir,

Your most obedient servant,

R. D. BELL,

Under Secretary to Government.

No. 294 of 1912.

The Chamber of Commerce,

Telephone No. 52.

Bombay, 15th March, 1912.

THE SECRETARY,

INDIAN MERCHANTS' CHAMBER AND BUREAU,

Dear Sir,

I am directed to inform you that the Government of Bombay have approved of this Chamber's suggestion that a Special Committee should be formed to advise on the festivals to be observed as Public Holidays in future. I am therefore to request you to kindly nominate a member of your Association for this purpose, at an early date, for submission to Government.

Due notice of the Meeting to be convened in this connection will be sent to you on receipt of the Government's approval of the Special Committee so nominated.

I am, Dear Sir,

Yours faithfully,

R. E. GREGOR-PEARSE.

Ag. Secretary.

No. 1788 of 1912.

Financial Department,

Bombay Castle, 22nd May 1912.

From

R. D. BELL Esquire, I. C. S.,

UNDER SECRETAY TO THE GOVERNMENT OF BOMBAY,

To

THE HON. Mr. MANMOHANDAS RAMJI.

Sir,

I am directed to inform you that the Governor in Council has been pleased to nominate you, as a representative of the Indian Merchants,

Chamber and Bureau, Bombay, on the Special Committee to consider what festivals should be observed in future as Bank Holidays, I am also to forward for your information a copy of the Press Note No. 1784 of this date on the subject.

I have the honour to be,
Sir,
Your most obedient servant,
R. D. BELL,
Under Secretary to Government.

PRESS NOTE.

The Committee appointed by Government in 1911 for the purpose of considering what days in the year 1912 should be recognised as public holidays under section 25 of the Negotiable Instruments Act suggested that, in view of the number of requests for additional holidays which were received from different communities, the whole question of the festivals to be observed as Bank Holidays should be rediscussed. The Governor in Council has therefore decided that a Special Committee representative of the different interests and communities should be formed to consider the question, so that when the festivals to be observed as Bank Holidays are decided and approved by Government, the usual Holidays Committee need only fix the dates. The following gentlemen have been nominated to serve on the Committee:—

The Hon. Mr. C. H. Armstrong, Chairman, Bombay Chamber of Commerce, *Chairman.*
The Accountant General,
The Collector of Customs, Bombay,
The Prothonotary and Registrar of His Majesty's High Court of Judicature, Original Side, Bombay,
Mr. Aitken (Bank of Bombay),
Mr. J. Greig (Chartered Bank of India, Australia and China Limited), Exchange Banks representative,

The Chairman, Cotton Trade Association, Limited, Bombay,

Mr. F. F. Gordon (Bombay Presidency Trades Association),

The Hon. Mr. Manmohandas Ramji (Indian Merchants' Chamber and Bureau, Bombay),

Mr. Lakhamsi Nappu (Grain Merchants' Association, Bombay),

Sir Dinshah M. Petit, Bart, Mill-owners Association, Bombay,

The Hon. Sir Sassoon David, Bart., representing the Jewish community,

Mr. Mohamedbhai Currimbhai Ibrahim, representing the Mahomedan community,

Sir Vasanji Trikamji, Kt, representing the Jain community,

Mr. Purshotamdas Thakordas, representing the Hindu community,

The Hon. Sir Ibrahim Rahimtullah, Kt., C.I.E., representative of the Mahomedan community of Bombay City in the Legislative Council,

The Under Secretary to Government, Financial Department (without vote).

The Chairman of the Committee has been informed that since holidays are notified under the Negotiable Instruments Act, they should be chosen principally with regard to the banking and mercantile (including trading and shop-keeping) interests, and that since persons of various communities (European, Hindu, Musalman, Parsi, Jain and Jew) are concerned in these interests regard must necessarily be had to the convenience of these communities as well as to the interests of the bankers, merchants, traders, and shop-keepers, who are composed of persons from the various communities. The maximum number of holidays to be notified, should if possible be limited to 23, in addition to the 3 prescribed under section 25 of the Act, or 26 in all, but the Committee are at liberty to consider the number of holidays notified under the Act in other Provinces and in Sind, and if they find it necessary, to submit for the consideration of Government the notification of holidays in excess of 26. It should however, be understood that the number 26 will not be exceeded unless extremely cogent reasons are shown. The Committee have also been informed that at least one month should elapse before they meet, so that the various communities may have an opportunity of submitting suggestions.

No. 1784 of 1912.

Financial Department.

Bombay Castle, 22nd May 1912.

Forwarded to—

The Editors' Tables and Editors of Newspopers,

All Registered Libraries,

The Oriental Translator to Government (with a request that the Press Note may be translated into Gujarati, Marathi, Kanarese, and Urdu and the translations supplied to the Editors of the Vernacular Newspapers concerned),

The Resident. Kolhapur, and Political Agent, Southern Maratha Country States,

The Political Agent, Savantvadi,

The Separate Department of the Secretariat (for the Reading Room for the Members of the Legislative Council),

The Non-official Members of the Legislative Council.

R. D. BELL,
Under Secretary to Government.

APPENDIX Z

Posts and Telegraphs.

From

THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS,

To

THE CHAIRMAN,
INDIAN MERCHANTS' CHAMBER & BUREAU,
77, Apollo Street,
BOMBAY,

No. 521 S,G, dated Simla, the 5th June, 1912.

Sir,

I have the honour to inform you that the Government of India have agreed that an experiment in amalgamating the Postal and Telegraph services should be tried in the Bombay and Central Circles from

the 1st July. The object of the experiment is to separate the Traffic from the Engineering work of the Telegraph Department, entrusting the traffic administration of the two circles to the two Postmasters-General, Messrs. Doran and Sutherland, and the engineering work of both circles to *one* officer of the Telegraph Department, Mr. Coode, at present Director of Telegraphs, Central Circle. It was essential that the circles chosen for the purpose of the experiment should adjoin each other, and the Bombay and Central Circles have been selected as likely to afford a fair test of the success of the experiment.

The arrangements which will be adopted for the experiment are shortly as follows:—

I. Staff.—The whole of the *construction and maintenance* work in both circles to be supervised and controlled by one officer with his head-quarters at Bombay. This officer to work directly under my orders and to be styled Superintending Engineer, Telegraphs, and given the assistance of one Deputy Superintendent General, as Personal Assistant.

Subordinate to the Superintending Engineer to be four Superintendents of Telegraphs stationed at Bombay, Ahmedabad, Nagpur and Ajmer each of whom to be in charge of the construction and maintenance work of a definitely defined division.

The Superintendents in charge of the Bombay, Ahmedabad and Nagpur Divisions each to be given two assistants (Assistant Superintendents or Deputy Superintendents General), and the Superintendent in charge of the Ajmer Division to be given one assistant. These seven assistants to be posted to the head-quarters of their respective divisions or to out-stations as decided by the Superintendent with the approval of the Superintending Engineer.

The *Traffic* work of the two circles to be under the Postmasters-General in each circle, and the staff of the Postmasters-General to be increased temporarily by the addition, in the Bombay Circle, of a Superintendent of Telegraphs and four Assistant or Deputy Superintendents and, in the Centeral Circle, by a Superintendent and three Assistant or Deputy Superintendents to be styled Traffic Managers and Assistant Traffic Managers, respectively. The question of the exact duties to be

performed and the powers to be exercised, by these officers to be left to Postmasters-General to decide, but two of the Assistant Traffic Managers in each Circle to be constantly on tour, and the work of the proposed Traffic Branch to include the work connected with the telegraph side of combined offices now performed by the existing staffs of the Postmasters-General.

II. *Duties.*—The Engineering Branch to be responsible only for the design, construction and maintenance of the telegraph and telephone lines, and the work at present done by the Technical Branch such as the fitting up of telephone exchanges, the erection and maintenance of power, plant, etc., to remain unchanged for the present. The control of the line staff to be solely in the hands of the Engineering Branch of each Divisional Superintendent to be given the assistance of one Inspecting Telegraph Master or Inspecting Telegraphist especially for the disposal of interruption reports. Inspecting Telegraph Masters and Telegraphists at present employed on railway and canal lines, whose work is practically all engineering work, also to remain under the Engineering Branch.

All the remaining work of the two Telegraph Circles, including testing and also all work connected with combined offices except first fitting, to be under the Postmasters-General, and all accounts work unconnected with construction and maintenance now done by Circle Directors and Divisional Superintendents to be done by Postmasters-General. Telephone systems, except lines, to form part of central telegraph offices and to be under the control of the officers in charge of those offices. Telegraph-Masters to be allowed to order out line staff for interruptions when faults have been localised reporting the fact to the Divisional Superintendent concerned and to the Postmaster-General, The inspection of departmental combined and private offices to be under the Postmasters-General but the number of Inspecting Telegraph Masters and Telegraphists to be restricted to the number required for inspection work, pure and simple and Postmasters General to be instructed that, if the sanctioned staff of these officers, after providing for the requirements of the Engineering Branch referred to above, is found to be insufficient for the inspection work of the Traffic Branch, the question whether some of this work cannot be carried out by the postal inspecting staff should be considered before an incacase is applied for,

III. *Correspondence.*—For correspondence connected with Engineering, the Superintending Engineer to take the place of the Circle Directors and in the case of correspondence regarding traffic the place of the Directors to be taken by the Postmasters-General. The Postmasters-General and the Superintending Engineer to work in the closest possible relationship and no official correspondence between them to be allowed. All questions for settlement to be decided in personal discussion and, where this is not practicable, by unofficial notes. The Postmaster-General, Bombay, to provide accommodation for the Superintending Engineer and his office staff.

Departmental telegraph offices to correspond only with the Postmaster-General of the Circle and then direct and not to be allowed (whether in charge of a superior officer or not) to correspond direct with the Engineering Branch except as regards bad working of lines and interruption reports (in which cases copies of the correspondence will go to the Postmaster-General), the Electrical Engineer in Chief or the Director-General. The correspondence of combined offices to be conducted as at present. Inspection reports on departmental combined and private offices to be addressed to Postmasters-General. All questions connected with traffic whether from within or without a Circle which are now referred to the Director and Divisional Superintendents including requisitions for new offices and the opening of combined offices to be addressed to the Postmaster-General.

All town departmental offices to be under the officers in charge of the central telegraph offices, and all combined offices to be grouped under departmental offices for the disposal of current traffic and the working of the circuits generally, on the strict understanding that non-gazetted officers in charge of departmental offices will not be allowed to visit these combined offices personally.

IV. Powers.—The Superintending Engineer of the two circles to exercise all the powers of a Circle Director as regards construction and maintenance and the establishments connected therewith, and the powers of Divisional Superintendents in these respects to remain unchanged.

All the powers now exercised by Directors and Divisional Superintendents, except those relating to construction and maintenance work, to

be exercised by Postmasters-General, but the Superintendent of the Bombay Central Office to continue to exercise the powers of a Divisional Superintendent in all matters not connected with Engineering.

V. Clerical Staff.—The clerical staff of the new Traffic Branches in the offices of the Postmasters-General to consist, in the case of the Bombay Circle of twelve clerks and, in the case of the Central Circle, of six clerks, all drawn from the present Telegraph Circle snd Divisional offices. The remaining twenty-six permanent clerks now employed in the Circle and Divisional offices to be distributed five to each of the office of the Superinteuding Engineer and the Superintendents of Telegraphs at Ahmedabad, Nagpore ond Ajmere and six to the office of the Superintendent of Telegraphs at Bombay.

I would draw the special attention of the Bureau to the concluding paragraph of clause III where it is stated that all town departmental offices will be nnder the officer in charge of the central telegraph office and all combined offices will be grouped under departmental offices for the disposal of current traffic and the working of the circuits generally. This change will affect Bombay to the extent of placing all the local telegraph offices under the control of the Central Telegraph Office and must obviously result in increased efficiency.

I have been instructed to submit a report to the Government of India on the working of the experimental arrangement by the end of six months and I request that I may be favoured not later than the end of October 1912 with the opinion formed by the members of the Bureau regarding this experiment in amalgamation.

I have the honour to be,

Sir,

S. K. WATSON,

Director-General.

APPENDIX A.—A.

Bills of Lading, etc.,

The Southern India Chamber of Commerce.

North Beach,

Madras, 23rd April 1912.

To

THE PRESIDENT,

THE INDIAN MERCHANTS' CHAMBER

AND BUREAU,

BOMBAY.

Dear Sir,

I have the honour to request you to be so good as to favour me with information on the following points.

(*a*) Whether it is the custom in your Presidency for Steamer Agents to acknowledge delivery of goods or to issue Bills of Lading to exporters, prior to the arrival of the Steamer, as an accommodation, when there was no Steamer in the roads, and when the time of contract or a letter of credit expired before the date of the Steamer's arrival.

It may be added that in Madras, it occasionally happens that there is no available Steamer in the roads to receive shipments by a particular date, and Steamer Agents refuse to receive goods or grant bills of lading, before the actual arrival of the steamer, though the exporters' contracts or their letters of credit expired by the date of arrival of the Steamer. Thereby much hardship is caused.

(*b*) Whether it is the nominal horse power that is always maintained as the Standard in your Presidency by Boiler Inspectors or whether it is the brake horse power or indicated horse power.

I may add that nominal horse-power alone is maintained at the Standard in this Presidency.

2. I shall thank you to favour me with an early reply.

Yours faithfully,

for President.

77-79, Apollo Street,

Bombay, 16th May, 1912.

From

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,
BOMBAY.

To

THE SECRETARY,

THE SOUTHERN INDIA CHAMBER OF COMMERCE,
MADRAS.

Dear Sir,

In reply to your letter, dated the 23rd April 1912, I beg to inform you that the said letter was placed before the Committee of this Chamber at the meeting held on the 4th inst. and that I am directed to express their opinion on the points raised in your letter as follows :—

1. Merchants on this part of the Presidency do sometimes secure freight for goods to be sent by their steamers and therefore in such cases if the goods sold do not reach the purchaser in time to satisfy the terms of the contract entered upon and if the purchaser asks for damages then the seller of the goods can secure the damages from the Steamship Company. But if the freight be not secured and if the goods are not sent so as to reach the purchaser in time to fulfil the contract, for want

of a steamer in the road, then the seller is liable for damages demanded by the purchaser.

2, In this Presidency also it is the Nonimal horsepower that is maintained as the standard by Boiler Inspectors.

Yours faithfully,
M. V. VACHHRAJANI,
Asst. Secretary.

APPENDIX A.-B.

Bank Rates.

Chumpagalee, Kalbadevi Post.
Bombay, 18th March 1912.

From

PREMCHAND ROYCHAND AND SONS,

To

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER
AND BUREAU,
BOMBAY.

Dear Sir,

I shall thank you to let me know whether the attention of your Committee has been drawn to the important speech of Honourable Sir James Begbie on 17th February, 1912, on the subject of Bank rate and the borrowing of Presidency Banks in London Market.

As this question is very important to our Indian Mercantile Community I trust the Managing Committee will endeavour to make a substantial move in the matter in proper direction.

Yours faithfully,
KIKABHAI PREMCHAND.

77-79 Apollo Street,

Bombay, 11th April, 1912.

From

THE SECRETARY,
THE INDIAN MERCHANTS' CHAMBER
AND BUREAU,
BOMBAY.

To

THE HON'BLE SIR JAMES BEGBIE,
SECRETARY AND TREASURER,
BANK OF BOMBAY,
BOMBAY.

Sir,

The Committee of this Chamber have asked me to request you to send the following figures as they are badly required for an inquiry of much importance to Commerce.

1. Bank rate of the Bank of Bombay from week to week for the last two years.

2. Rate at which the Bank of Bombay has discounted two months' hundies for the last two years, week per week.

3. Weekly cash balance for the last two years.

Thanking you in anticipation,

I beg to remain,
Sir,
Your most obedient servant,
J. K. MEHTA,
Secretary.

Bank of Bombay,

Bombay, 23rd April, 1912.

No. L3785.

THE SECRETARY,

THE INDIAN MERCHANTS' CHAMBER AND BUREAU,

BOMBAY.

Dear Sir,

As requested in your letter of the 11th instant, I beg to send you herewith a statement showing :—

1. The Bank rate of the Bank of Bombay each week from 2nd April 1910 to the 30th March 1912 both inclusive.
2. The Bank of Bombay rate for two months hundies each week from 2nd April 1910 to the 30th March 1912, both inclusive.
3. The cash balance of the Bank of Bombay each week from 2nd April 1910 to 30th March 1912, both inclusive.

Yours faithfully,

S. G. WATSON,

Offg. Dy. Secy. & Treasurer.

Date. Week Ending.	Bank Rate.	2 months' Hundi Rate.	Cash Balance.
1910 April 2	Per Cent.	Per Cent.	
9	7	7½	429,96,000
16	7	7½	374,46,000
23	7	7	324,03,000
30	7	6	331,11,000
May 7	7	6	362,40,000
14	7	6	356,87,000
21	6	6	360.19,000
28	6	6	358,22,000
	6	5	377,70,000

Date. Week Ending.	Bank Rate.	2 months' Hundi Rate.	Cash Balance.
	Per Cent,	Per Cent.	
June 4	5	5	344,75,000
11	5	5	363,30,000
18	5	4	369,72,000
25	4	4	439,72,000
July 2	4	3½	466,15,000
9	3	3	468,92,000
16	3	3	514,81,000
23	3	3	480,61,000
30	3	3	492,86,000
Aug. 6	3	3	492,07,000
13	3	3	484,12,000
20	3	3	480,50,000
27	3	3	528,00,000
Sept. 3	3	3	573,43,000
10	3	3	598,56,000
17	3	3½	637,08,000
24	3	4	649,46,000
Oct. 1	3	4	663,04,000
8	4	5	641,77,000
15	4	5	683,96,000
22	4	5	719,33,000
29	4	6	651,57,000
Nov. 5	5	6	643,21,000
12	5	6	678,79,000
19	6	7	563,18,000
26	6	7	600,57,000
Dec. 3	6	7	558,26,000
10	6	7	558,19,000
1910 Dec. 17	7	7	502,75,000
24	7	7	445,19,000
31	7	8	436,16,000
1911 Janry. 7	7	8	441,59,000
14	7	8	406,11,000
21	7	8	431,35,000
28	7	8	480,92,000
Febry. 4	7	8	485,25,000
11	7	8	434,39,000
18	7	8	429,36,000
25	7	8	416,38,000

Date Week Ending,	Bank Rate.	2 months' Hundi Rate.	Cash Balance.
	Per Cent.	Per Cent.	
March 4	7	8	380,18,000
11	7	8	363,58,000
18	7	7	414,28,000
25	7	7	374,16,000
April 1	7	6	366,10,000
8	7	6	365,98,000
15	7	6	333,66,000
22	7	6	338,24,000
29	7	6	310,63,000
May 6	7	6	320,58,000
13	7	6	346,46,000
20	6	5½	371,90,000
27	6	5½	425,51,000
June 3	5	5	420,62,000
10	5	5	383,49,000
17	5	4	410,60,000
24	4	4	462,31,000
July 1	4	3	522,93,000
8	4	3	551,39,000
15	3	3	565,43,000
22	3	3	560,33,000
29	3	3	476,73,000
August 5	3	3	559,04,000
12	3	3	558,57,000
19	3	3	593,54,000
26	3	3	646,94,000
1911 Sept. 2	3	3	653,19,000
9	3	3	623,03,000
16	3	3	646,06,000
23	3	3	663,41,000
30	3	3	678,31,000
Oct. 7	3	3	651,36,000
14	3	3	610,41,000
21	4	4	560,46,000
28	4	4	588,68,000
Nov. 4	4	4	594,64,000
11	4	4	598,91,000
18	4	4	559,00,000
25	4	4	547,08,000

Date Week Ending.	Bank Rate.	2 months' Hundi Rate.	Cash Balence.
	Per Cent.	Per Cent.	
Dec. 2	4	4	607,72,000
9	4	4	554,50,000
16	4	4	541,44,000
23	5	5	474,46,000
30	5	5	463,09,000
1912 Janry. 6	5	6	420,42,000
13	6	7	406,08,000
20	7	7	384,42,000
27	7	8	344,74,000
Febry. 3	8	8	380,44,000
10	8	7	433,22,000
17	8	7	415,04,000
25	7	7	474,10,900
March 2	7	7	440,00,000
9	7	6	455,56,000
16	7	6	480,37,000
23	6	6	458,52,000
30	6	6	477,35,000

The Indian Merchants' Chamber & Bureau,
77-79 Appllo Street,
Bombay, 5th May, 1912.

To
MESSRS. PREMCHAND ROYCHAND & SONS,
BOMBAY.

Dear Sirs,

In reply to your letter dated the 18th, March 1912, I beg to inform you that the same was placed before the Committtee of this Chamber, which after duly considering it resolved that it is not necessary at present to take any steps in the matter.

Yours faithfully,
M, V. VACHHRAJANI,
Assistant Secretary.

APPENDIX A—C.

Procedure adopted by Banks with regard to cashing of Cheques,

56, Cowasji Patel Street,
Fort
Bombay, 4th July, 1912.

To

THE CHAIRMAN AND THE MEMBERS OF THE
INDIAN MERCHANTS' CHAMBER & BUREAU,
BOMBAY.

Gentlemen,

I have no doubt but that you are aware of the great waste of time in cashing cheques at the different banks in Bombay. Thousands of cheques are cashed every day and hundreds of people are forced to waste their time in waiting long before the cash comes to hand. The same system and practice of the days of yore have been continuing which have given rise to this evil and grievance, notwithstanding the large increase in business and in the number of banks in Bombay. Much inconvenience and annoyance are caused to all who have the misfortune of going to cash cheques. I do not understand why a thorough change should not be brought about in this matter, with a view to facilitate the cashing and preventing the most unnecessary waste of much time of hundreds of busy people every day. It would be of use to mention that most of the waste of time is caused by what is called the accountant initialling the cheques that are allowed to accumulate on his desk as coming from the leger-keepers Now these initials are unnecessary since no really useful purpose is served by them. The accountant whilst initialling the cheques knows not at all whether they are overdrawn or rightly drawn, or the signatures are or are not correct. These particulars as well as the general correctness of the cheques are looked to by the ledger-keepers, and the ultimate responsibility of passing cheques lies with, them. This initialling of cheques by the accountant, which involves so much of waste of time, should, it is more than time, be done away with.

Besides, other facilities should be attained: the ledgerkeepers may be so posted that they might, after passing the cheques hand them on directly to the cashiers near at hand, so that as the cheques are passed, payments for them are at once made, But a preferable mode is, as followed in England, that the ledgerkeepers themselves should at once make payments after passing the cheques. This arrangement would of course mean that they will have to be paid more highly for the greater responsible work. They, having certain accounts, know the proper clients to whom or to whose usual servants or agents they make payments usually. Another advantage would be that there will be no necessity of passing and repassing and recording of the numbered metal pieces, and there would be the certainty of payments being made to the very person who presents this cheque. Thus not only much time will be saved of the people, but the whole operation of cashing would be so mueh facilitated that there would be the greatest inclination stimulated for opening fresh accounts of current deposits, and the monetary facilities of the bank would increase that adopts this easy and time-saving arrangement. I beg to draw your attention to this matter of every day difficulty to the mercantile classes with the view that it may be earnestly taken up and the evil be remedied, at least in some of the Indian banks, as a necessary improvement.

I remain, Gentlemen,

yours respectfully,

SHAPOORJEE SORABJEE MISTRY.

The Indian Merchants' Chamber and Bureau,

77-79 Apollo Street,

Bombay, 9th July, 1912.

To

SHAPOORJI SORABJI MISTRY, ESQUIRE,

36, CAWASJI PATEL STREET,

BOMBAY.

Sir,

With reference to your letter, dated the 4th inst., regarding delsy caused in cashing cheques in the different Banks, I beg to inform you that

the same was considered by the Committee of this Chamber at their meeting held on the 6th inst., and I am asked to inform you, that they regret they cannot see their way to interfere in the matter because the question relates solely to the management of Banks which as you see are private bodies, and it is not thought desirable to meddle with the internal administration of such bodies.

Yours faithfully,
J. K. MEHTA,
Secretary.

56, Cowasji Patel Street,
Fort
Bombay, 12th July 1912.

THE SECRETARY,
THE INDIAN MERCHANT' CHAMBER & BUREAU,
BOMBAY.

Dear Sir,

I have to thank you for yours of the 9th inst. It appears that there has been some misapprehension of the matter. Of course it is not desirable, nor would you be allowed, "to meddle with the internal administration of such bodies" (Banks). But the object is that you, as a public body constituted for looking after the mercantile interests may only draw the attention of those bodies to the fact of the unnecessary waste of time of the mercantile community, and express your desire or opinion that, so far as possible, the grievance may be remedied, and, if you approve of my suggestions made in my letter, the same may be put before them for their consideration, and, if approved, for adoption.

I do not think that this step you consider to be not within your province as a mercantile public body. Hence this further trouble to you by way of explanation.

I remain, Dear Sir,
Yours faithfully,
SHAPOORJEE SORABJEE MISTRY

The Indian Merchants' Chamber and Bureau,

77-79 Apollo Street,

Bombay, 22nd August, 1912.

SHAPOORJI SORABJI MISTRY, ESQUIRE,

56, CAWASJI PETAL STREET, FORT,

BOMBAY.

Dear Sir,

With reference to your favour of the 12th July, 1912, I am asked by the Committee to write to you, that they are sorry that they cannot see their way to adopt your suggestion for the reason mentioned in my previous letter to you.

Yours faithfully,

J. K. MEHTA,

Secretary.

APPENDIX A.-D.

Universol Penny Postage.

Berlin, Datum des Poststempels.

Dear Sir,

On behalf of the corporation which signed the accompanping letter I take the libertp of sending you enclosed a copy of a petitionn in favour of the world penny-porto. Will you, please, send your answer to the address indicated in the accompanying letter.

Faithfully yours

F. Birgius.

June 1912.

Gentlemen,

In the opinion of the undersigned associations, it is of much importance to the commerce and industry of all countries, that the impend-

ing International Postal Congress, to be held at Madrid in 1913, should decide upon the introduction of universal penny postage (i. e. extension of the domestic postal rates to the whole foreign and domestic postage of all countries). But for this may be hoped only when a general agitation simultaneously raised in all civilized countries shows that this is the earnest and unanimous wish of the whole business world.

The undersigned associations have, therefore, decided to circulate among the leading commercial associations of all the principal countries the enclosed appeal, which briefly sets forth the most important and fundamental reasons why universal penny postage should be introduced. At a suitable time it is proposed to circulate this appeal as a petition to the governments and parliament of the different countries, and to furnish a copy to each of the leading daily newspapers and trade journals therein with a request that it be published with signatures. This will be done in each country by the associations whith have signed the appeal.

We take the liberty to inquire whether your highly esteemed association is also willing to sign the appeal. This object can only be accomplished when at least 50associations of the principal countries signify their readiness to sign it. In order to have a general survey of the question as soon as possible, we would be glad to have your reply as soon as yossible.

All further steps taken in the matter would, naturally, be undertaken by mutual agreement. Any propositions or suggestions which would be of value to the question will be thankfully received.

Please address your answer to Mr. Arved Jurgensohn, Berlin-Friedenau, SponholzqStrasse 38, who is intrusted with the collection of replies.

We remain Gentlemen,

Very respectfully,

Association Internationale des Hoteliers
(International Association of Hotel-Keepers)
Cologne.

Grosserer Societets Komite
(Board of the Merchants' Association
Copenhagen.

Hondelsvertrags-Verein
(Association for the promotion of commercial treaties)
Berlin.

Nederlandsche Kamer van Koophandel
(Netherlandish Chamber of Commerce)
Brussels.

Niederosterreichisher Gewerbeverein und Reichsverband der Deutschen Gewerbevereine Oesterreichs
(Manufacturers' Association of Nether-Austria and Imperial League of the Manufacturers' Associations of Austria.)
Vienna

Serviges Allmanna Exportforening
(Swedish Exporters Association)
Stockholm.

Orszagos Iparegyesulet
(Central Association of Hungarian Industry)
Budapest.

PETITION

for the introduction of universal penny postage.

The existing international postal rates, which are double the domestic postal rates and which have remained unchanged for 37 years, have for a long time been considered *much too high* and consequently a check to trade.

The untenableness of these high rates has already led to a constant increase in the number of *Special Postal Unions* through the mediation of which two friendly or contiguous states have applied their domestic postal rates to the postal intercourse with each other. Thanks to such Postal Unions, many countries already charge on 40% of their international correspondence (some countries even 75—90%!) only domestic rates.

In this manner the former *uniform International postal tariff*— also made irregular by the International Post Congress of 1906, which placed the maximum weights of letters differently in the various countries, — has completely disappeared.

The financial loss, feared as the result of the introduction of a uniform international penny post, would be slight, and at the begining would

hardly be felt by the majority of states. In serious cases the deficit would be repaired in a few years*).

The reduction of the *international postal rates* would, without doubt lead to a considerable *increase in both foreign and domestic postal traffic* which would help to increase the total postal receipts, The amount involved in the handling of this extra postage would be so small that it could hardly come into consideration.

An International penny post would render it possible to send larger amounts of second class mail, letters and printed matter ; it would develop international trade and favourably affect all phases of economical life—all of which would result in higher custom house receipts and thereby increase the state treasury.

To further postpone this reform would only make its ultimate realization the more difficult to bring about, on account of the ever increasing letter traffic, which makes the theoretical loss in surplus appear larger each year.

The equalization of domestic and foreign postal rates offers *special facilities to foreign residents* to correspond with the homeland, and to subscribe for native newspapers and periodicals, which would strengthen the tie between them and their mother country.

All of these features of a uniform world penny postal rate show the urgent necessity for its introduction. The proposition has for a long time been scientifically and exhaustively worked out and made thoroughly clear. The present hybrid state of affairs is untenable.

The undersigned commercial associations of the various civilized countries, therefore, appeal to the representatives of the different governments of the International Postal Union, and urgently request them to support the adoption of a uniform foreign postal rate, equal to the present domestic rate, at the International Postal Congress to be held at Madrid, so that on the first of January 1915 universal penny postage can come into effect.

*) An example for it : The Imperial German Postal Department decided in 1909 to appropriate an extra 50 million Marks yearly for permanent increase in salaries. This amount nearly completely absorbed the surplus of the budget year of 1909, but it has been so fully made up that the budget year of 1910 had already again can reckon on a surplus of 72 million Marks.—The reform of the international postal rates would mean the comparatively small reduction in the surplus of the German Empire of only 6—7 million !

The Indian Merchants' Chamber and Bureau,

77-79 Apollo Street,

Bombay, 22nd August, 1912.

ARVED JURGENSOHN, Esquire,

BERLIN-FRIEDENAU,

Sponholz-Strasse 38,

BERLIN (GERMANY)

Dear Sir,

With reference to your circular letter regarding the introduction of universal penny postage, I am asked by the Committee of this Chamber to inform you that they are sorry that they do not see their way for the present to give any opinion in that matter.

Yours faithfully,

J. K. MEHTA,

Secretary.

APPEMDIX A. P.

Deputation of the London Chamber of Commerce (Railway.)

Government of India.

Railway Department.

(Railway Board).

No. 1392 R. T.

Simla,

Dated the 23rd July, 1912.

The undermentioned paper is forwarded to the Secretary, Indian Merchants' Chamber and Bureau, Bombay, for information.

By order,

C. P. HINDERSON,

for Secretary, Railway Board.

Document referred to :—

Report of the proceedings of the deputation from the East Indian Section of the London Chamber of Commerce, which was received by the Secretary of State on the 10th June 1912.

LONDON CHAMBER OF COMMERCE.

Deputation to the Secretary to State for India.

A Deputation from the East India Section of the London Chamber of Commerce waited upon the Secretary of State for India, the Marquis of Crewe, K. G., at the India Office on Monday afternoon, the 10th June 1912.

Ths following officials of the India Office were present during the proceedings :—

Mr. F. A. Lucas, C. B. (Private Secretary to the Marquis of Crewe).

Sir Richmond Ritchie (Permanent Under Secretary, India Office).
Mr. L. Abrahams, C. B. (Assistant Under Secretary).
Mr H. A. Haines (Secretary, Public Works Department).
Mr. A. Brereton (Government Director of Indian Railway Cmpanies).

The Deputation consisted of the following gentlemen :—

Mr. C. C. McLeod (Chairman of the East India Section).
Mr. J. M. Dick (Deputy Chairman of the Section).
Mr. G. C. Scaramanga (Messrs. Ralli Brothers).
Mr. L. R. W. Forrest (Messrs. Nixon, Forrest & Co).
Mr. Charles E. Musgrave (Secretary of the London Chamber of Commerce).

Mr. C. Taylor (Secretary of the East India Section).
Mr B. G. Arthur (Assistant Secretary of the East India Section).

Mr. C. E. Musgrave : My Lord, as Secretary of the London Chamber of Commerce it is my privilege to introduce to you the members of the Deputation whom you have already greeted. I may say that, although the Deputation is a small one, it must be regarded as represent-

ing a very important Section, of the London Chamber of Commerce, namely, the East India Section, that at one time formed part of a larger body known as the East India and China Section ; but such a larger interest has been taken in the subject of the development of trade with India that at the desire of those concerned this new section, the East India Section, of the Chamber has been formed ; and that Section will be in future, I hope, the principal medium of communication between the East India merchants in London and your Department Mr McLeod is the Chairman ; Mr, Dick is the Deputy Chairman ; Mr. Forrest is a member of the firm of Nixon, Forrest & Co. and Mr. Scaramanga is, as you know, connected with the firm of Ralli Brothers, whose support on this occasion we are very glad to have.

The object of the Deputation is to support a resolution which was passed and the text of which was contained in a letter which was addressed to you, calling attention to the injury to trade and industry caused by the congestion of the Railways of India, consequent principally on the shortage of rolling stock and other preventable causes. I think when you have heard the Deputation a case will be before you which will enable you to consider whether, as was done some five years ago, some practica steps could not be taken to help the trade. The deputation represents mainly the views of merchants who are naturally interested in getting produce easily and rapidly distributed, and it is a very serious matter to them where there is a shortage of the ordinary means of transportation.

I do not think I need detain you any more, except to tell you that this resolution of the East India Section has been before the Council of the Chamber, which represents all interests, and has been carefully considered by them ; and that resolution has their endorsement and the Depntation has their full support.

Mr. C. C. McLeod: My Lord, I must in the first place ask you to accept our grateful thanks for consenting to receive this small deputation from the Indian Section of the London Chamber of Commerce, when we well know how valuable your time is. The deputation is a small one at your request, but is no criterion of the great interest taken in this question. I venture to hope, however, that when we have put our case before you, you will recognise that the question is one of great importance and pressing necessity.

The shortage of wagons and rolling stock on Indian Railways is not a new phase: it has been more or less acute for the last fifteen or twenty years. It has been the subject of several enquiries and a very strong case was put before your eminent predecessor, Lord Morley, in March 1907, by a depution of Chairmen and Directors of Indian Railway Companies, accompanied by a deputation of East Indian Merchants from the London Chamber of Commerce. Lord Morley appointed a Committee to enquire into the causes and increased the allotment to a considerable extent, but the effect was short-lived as we find ourselves in a very much worse position to-day than we were at that time—now fully five years ago.

It is very difficult to describe the effects of the present congestion and the losses incurred all round. In Calcutta the shortage of coal wagon has been most acutely felt. Many of the jute mills during the last two or three months have had only a few days stock of coal in hand, whilst steamers often took from seven to twenty days before they were properly loaded with coal. The evidence of Colonel Gracey (who recently visited India, and who is Chairman of the Bengal and North-Western Railway) in a recent speech is to the effect that he found all the stations choked with goods owing to the want of rolling stock. Such evidence, coming from one possessing his expert knowledge and mature experience, is reliable and conclusive. He considers the Railways are losing money because they are not properly equipped with sufficient wagons and rolling stock. Lord Curzon, during his term of office as Viceroy of India, was so struck with the force of the arguments put forward by the Bengal Chamber of Commerce that he deliberately curtailed Railway Extensions in order to provide more funds for increasing rolling stock and doubling lines.

The letter of the 21st May last forwarded by Messrs. Ralli Bros., and signed by a number of important East Indian merchants, acknowledged by you on the 28th ultimo, points out very clearly that the Indian Railways are quite unable to cope with the traffic, and that conditions obtaining at present are as bad, if not worse, than they ever were, owing to the scarcity of wagons and rolling stock and also to other causes which require investigation. We have also evidence by recent advices that consignments

of seeds and grain are being refused at stations on the Bengal and North-Western Railway where their line is already blocked with stocks of grain piled up on the stations and quite unprotected. A joint telegram was received from the Chambers of Commerce of Bengal, Bombay, and Karachi on the 28th May, a copy of which was forwarded the following day to you. It read as follows :—

"Bengal, Bombay, Karachi Chambers earnestly request Indian Section protest energetically to Secretary of State regarding inability of Indian Railways to handle traffic. Congestion in every direction and present position deplorable owing to insufficient funds for equipment having been allotted for some years. Largely increased grants for several years indispensable. Consider present method financing Railways unsuitable : merchants and trade generally seriously inconvenienced. No immediate relief apparently possible. Question must be dealt with promptly or Indian trade and agriculture will seriously suffer in future. Trade requirements now far ahead of railway facilities."

Also the following from the Indian Mining Association, Calcutta, on 14th May 1912.

"Indian Mining Association heartily endorses your action. Wagon shortage position growing worse, remedial measures urgent, no action yet taken by Government."

And on the 6th instant from the Bombay Chamber of Commerce:—

"Regarding your interview with Lord Crewe, June 10th, reference Administration Indian State Railways. This Chamber strongly emphasises present difficulty as due to insufficient funds having been allotted for equipment, doubling of lines, efficient water supply, larger station and marshalling yards and increased facilities generally for moving traffic, Abnormal increased number of wagons to be deprecated until railways are equipped efficiently to deal with them. Important question is that lines should be thoroughly equipped for working traffic and for this largely increased funds necessary over series of years to complete comprehensive programmes. Present supply wagons can do much more work if this is done. Higher interest might be offered for loans for this special purpose."

This is surely conclusive proof, coming from these three great centres of commerce and sent with the full sense of the importance of such a communication, that some strong and prompt measures are urgently necessary. From the point of view of the railways themselves, we would venture to point out that the advantage would be very great, and if I may be permitted to quote the following figures they will, I think, explain themselves.

The average gross earnings for the four years ending with 1896 was about 2½ crores and the loss to Government was 204 lakhs of rupees. In 1910 the gross earnings reached nearly 5 crores ; on the other hand the loss to Government ceased with the year 1901, and since then the gain has steadily risen, and for the last eight years shows, I believe, an average of about 200 lakhs, thus proving conclusively that a generous policy in connection with the equipment of Indian Railways would be well repaid.

The Trade and Commerce of India has shown a continuous increase for many years, and there is ample evidence that the facilities for handling it by the Railways are now, and have always been, inadequate. I need hardly point out that this state of things is calculated to throttle growing industries in that vast country, and prevent the natural expansion which is so essential to its prosperity.

I may add, my Lord, that opinion is somewhat divided as to whether a large increase in rolling stock would meet the difficulty if it were not accompanied by better facilities for handling the same. I make this qualification as it is well known and understood that "congestion" on Railways does not necessarily mean an actual scarcity of wagons, but rather an accumulation of wagons at changing stations and terminal points which prevents their being made use of up and down the lines. The principal causes which lead to this cannot be put down solely to insufficiency of rolling stock, but may easily be accounted for by want of forethought and unpreparedness by insufficient capacity in the line itself due to want of sidings to permit of expeditious crossing of trains, or to inefficient watering arrangements, which increases the stoppage of trains at roadside station, or it may be due to insufficient facilities at terminal points. It is most important, however, to have this point settled definitely. To do this efficiently, it would be necessary in our opinion to appoint experienced special officers to go into the whole question on the spot, and to report

fully on this very important point, and we find this view is one that commends itself very strongly to those who are interested. It would be desirable that the reference should be specially directed to ascertaining the methods by which the existing rolling stock may be more quickly handled, as well as the carrying capacity of existing open lines, and to endeavour if possible to frame a definite opinion as to the adequacy or otherwise of the rolling stock and present facilities both for existing traffic or increased traffic that is likely to be handled in the near future.

The question of speeding up freight trains would also require looking into, as evidence adduced in Calcutta at a recent discussion showed that the average speed of coal trains was only about 6 miles per hour, and the "Sind Gazette" of the 15th May states that the average speed at which goods trains are now travelling between the Punjab and Karachi is only about 3 or 4 miles an hour. In the meantime, we would strongly urge that the number of wagons under order should be augmented by an "urgent" addition of at least 3,000 wagons.

To summarise our requests, they come to this:—

To appoint two or more officers experienced in Railway Traffic handling to investigate and report as to whether the congestion all over India is due to actual shortage of wagons or inefficient handling.

To provide an "urgent" supply of wagons as indicated.

To consider the question of reverse wagons.

To consider the advisability of discontinuing extensions of new lines and consolidating available funds towards increasing the efficiency of existing lines.

To consider the proposal by the Bengal Chamber of Commerce as to the quadrupling of the line between Asansol and Bandel.

To consider the quadrupling of the Great Indian Peninsula line from the "Ghats" to Bombay and providing additional sidings and crossings to facilitate transport into Bombay.

This, my Lord, closes my case, and after my colleagues have spoken we will look forward with hopeful anticipation to receiving an assurance from you that we have not approached you in vain.

Mr. G. C. Scaramanga: My Lord, it gives me much pleasure to have this opportunity of explaining the object of the letter which we and other Indian merchants addressed to your Lordship on the 21st May.

Before doing so, however, I wish to say that I fully endorse all that Mr. McLeod has said, and he has gone so much into detail that it is unnecessary for me to say very much more.

Both we and Mr. McLeod recommend an enquiry in India. Our reason for this is that it is impossible for anyone in England to grasp the situation or to fully realise the trouble and losses experienced. Besides, one hears all sorts of opinions and rumours, which may or may not be biassed or exaggerated. For instance, the following points have been brought to our notice:—

(1) That if the traffic on the railways were managed in a more methodical and expeditious manner matters might be considerably improved. This is borne out by the telegram lately received from the Bombay Chamber of Commerce.

(2) That when the Indian Government was employing large numbers of wagons for supplying fodder at a cheap price for cattle in Kathiawar, there was formed a local clique which bought the fodder and afterwards retailed it at big profits.

(3) That unscrupulous dealers are able, by means of bribes, to get wagons when other traders are unable to do so.

(4) That wagons at interior railway stations are put up to auction, and are given to the man who offers the biggest bribe.

(5) That certain delays were caused by illness amongst the locomotive drivers, which this hot season was very considerable.

I give these instances not as facts but as rumours, simply in order to prove to your Lordship how necessary it is for an enquiry to be made locally.

I must thank you again on behalf of the signatories to the letter for your courteous reply, and I feel sure that the necessary steps will now be taken to put matters right as quickly as possible.

Mr. L. R W. Forrest : My Lord, as a former Chairman of the Bombay Chamber of Commerce, and largely interested in the shipping and export trade of that Port, I have been invited to join this deputation and I desire to endorse all that Mr. McLeod has said. I feel assured that the India Office realises the seriousness of the situation since reading the combined telegram of the three Chambers of Commerce, and the second message sent by the Bombay Chamber.

I would ask your special attention to the moderate and well reasoned letter of that Chamber addressed to the Railway Board on the 8th May, emphasised as it is by the telegram just received. You will notice that they lay stress not so much upon the shortage of wagons, as on the necessity of doubling lines where required, and on further provision of sidings and crossings. Now if funds are available, sufficient wagons can be procured in twelve to sixteen months, but it will take years before the Great Indian Peninsula Railway is made really capable of carrying a greatly increased rolling stock. You will therefore understand, my Lord, why we commence the agitation now so that in about a year or one and a half years' time when the new dock is completed there may be no congestion on the Railway. The dock will be quite ready for as much traffic as can be brought by the Great Indian Peninsula. We want this line quadrupled into Bombay, doubled between Nagpur and Bhusaval and increased sidings and crossings all through the line; in fact I understand that we want about a crore and a quarter promised every year for five years without any fear of that amount being taken as lapsed if it is not used owing to various reasons.

The shortage of wagons has been specially felt in the coal trade, and resulted in fearful losses to consumers owing to the scarcity of supplies, and the rise in prices. As you are no doubt aware, one main line on the Western side was almost obliged to stop running trains at all. Prices advanced about Rs. 2 at the pit mouth, and some Rs. 5 in Bombay. I was told by a Calcutta man who arrived last week, that when he left coal was still hardly obtainable. The Chairman of the Railway Board has attributed the moderate amount of wagons now on order to the exigencies of finance. My Lord, I have the honour on behalf of a large Carriage Makers and Finance Company, whose name I will give you later on, to say that they are prepared to place

their large reserves of finance and of wagon manufacture at the disposal of the Government. They are prepared to take orders for 4,000 wagons at the rate of 100 a week at prices to be settled by the Consulting Engineers, not exceeding the present current rate for similar stock, and they are prepared to accept in payment the various Railways' Bonds without Government guarantee bearing interest at 3½ per cent. for either three, five or seven years at the option of Government. Sir Alexandor Henderson suggested some such scheme to Sir James Mackay's Committee, but paragraph No. 27 of the Report declined the suggestion on the probability of a high rate of interest being charged. In this case, my Lord, the objection falls to the ground. It is not suggested that the India Office should make the arrangement directly, but it might be effected by the various Railway Companies, as a purely business operation. Anyhow, you will, I am sure, appreciate this public spirited offer.

Outside the question as to whether the present rolling stock could not do more by being moved more quickly, the demand of the commercia community really amounts to a demand for more money, and for that money to be spent at any rate for the present on the open Lines, and more particularly on the Lines that enter Bombay and Calcutta, but no one expects more than the sum suggested by Sir James Mackay's Committee, which was about £12,500,000.

Whatever the Indian public may think, if they do think at all on the subject, we at any rate do realise and do appreciate the ability with which the India Office works the Railway Finance. We recognise the low rates of interest obtained, and the keen bargains made in the interests of India with the remodelled Companies, such good bargains as to make the Stock Exchange rather shy of further similar bargains. But things are changing, and have changed, since the Sir James Mackay's Committee sat. London is besieged by applications from all parts of the world, developing and progressing and inducing confidence in the investor. Russia, which in 1907 was at war (or just recovering from the war) is now offering its Guaranteed Railway Bonds at 4½ per cent and the higher rates of interest mentioned in Bombay's telegram will have to be paid in India's competition for English capital.

We have learnt with regret the result of the last Indian loan, but your financial advisers have no doubt informed you of the still satisfactory demands there are in this city for Railway Bonds. Only last March they could have been issued at 3¼ per cent, and to-day 3½ per cent per annum, with seven years to run, would be welcomed in the City, and I imagine three million in each half of this financial year could be easily placed. I am aware that the Committee of 1907 did not recommend this kind of finance, but times change, and some financial authorities think that if the issue of the yearly Indian Loan could be suspended for a year or two and Bonds issued, it would much improve the position of that security,

Lord Rothschild said in 1907, "Make no fixed and unchangeable laws for future policy, but when the moment arrives decide on what form borrowing is to take place."

I beg to call your attention to paragraph 3 of Section 20 of the Report *re* Debenture Stock. I am persuaded that Trustees prefer to invest in a variety of these Debentures, rather than in one security of Indian stock. The 3½ per cent East India Debenture Stock stands to-day at 4 points over Indian Stock, and no doubt are less subject to fluctuation caused by political events.

Funds can also be obtained by the selling of a portion of one of the State Lines with power to re-purchase in 50 years time, as mentioned in Sections 24, 25 and 29 of the Report. Some such scheme would be welcomed in the City, and enough money raised to put the two most important Lines in India in the position so much desired by the mercantile community.

One last word about India Capital.

Representations will shortly be made to the India Office asking for certain slight alterations in the working of the revised Concessions for Feeder Lines to make it more effective, but the terms of a rebate and division of profits after 5 per cent. attract the Indian investors, who would not put their money into 3½ per cent. rupee paper, and capital will be forthcoming for Fedder Lines, but I think there is still a larger field of money to tap in India.

The Right Honourable Sir Edgar Speyer asked at a meeting of the Society of Arts why the Indian Public had not contributed towards the capital of the existing Main Lines in the past. We know the reason, but the wealth of India is increasing fast, and if she obtains from her products such prices as have been obtained of late, she will accumulate money in an extraordinary manner. A financial authority, Sir Shapurji Barucha, believes in a few years time funds will be obtained for Railways in India on as easy terms as in England. As you are aware, Sir, just now India Stock is higher in India than it is in England, —96 as against 92. But investors must be given the opportunity and be taught gradually. You are aware, no doubt, my Lord, that of the Capital Stock of the big lines, practically nothing is held by the Indian public. I think a little later on should the Main Lines require more capital shares might be offered in India, and if share capital is not wanted then Bonds or Debentures, beginning if necessary at 4½ per cent. and gradually reducing rates as the securities get better known. With the increased number of Banking Institutions in India these kinds of operations are more possible than in the past. I have been told only to-day that the increase in the number of this sort of Institution, especially the Swadeshi Banks which have been started in Bombay, is most remarkable. They are bringing into the capitals provincial funds which are now much more available, and the rate of interest which used to be so high in the busy season is getting on a much steadier level than it used to be in former years. It is quite a noticeable feature of finance in India. The Indian public should support their own Railway system, and I am assured that in the near future they will if opportunities are given them.

We trust that as we spend our time, talents and capital in the development of India no doubt for our own advantage, but still to the benefit of the community, we may rely with confidence on the Secretary of State in Council removing with as little delay as possible the causes of the present congestion, which is inflicting so much loss to the mercantile community.

Mr. J. M. Dick—My Lord, I wish to associate myself with Mr. McLeod and Mr. Scaramanga in what they have said on the general question. I will only mention one specific case which is a very hard one,

You are aware of the great development of the manganese ore industry in India in recent years. Now during the year, especially between March and May, in Bombay the railways are almost blocked for ores—they fall about 75 per cent. doubtless because the seeds, wheat and other traffic, pay better rates to the railway, but it is very essential for the proper carrying on of the trade that the railway traffic in or should be maintained. A large proportion of the trade from Bombay is now done in cargoes of about one-third and a quarter and the balance of the cargo is in seeds, and unless the steamers can get a proper assortment they do not pay. There is plenty of ore at the railway stations, but there is not a great deal of accommodation for attending to it in Bombay, and although the Companies do their best in the slack season to bring down the supplies to Bombay there has always been for many years a great shortage of ore to be shipped with the seeds during the busy season. It is only a question of organisation and more wagons in order that the trade may be carried on efficiently.

The Marquis of Crewe —(Secretary of State for India) : Gentlemen, I can assure you that it has given me very great pleasure to receive this deputation and I fully recognise the importance of the subject on which you have come to speak. Indeed the gravity of that subject altogether, I think, prevents me from giving you a merely official reply such as is sometimes given to deputations, when the Minister who is approached merely has to consider what dialectical advantage he can obtain over the speakers of the deputation. I certainly shall not attempt anything of that kind, because I fully recognise the importance of the occasion and the substance of the facts which are at the back of the representation which you have made. In fact I will go further I am not by any means without sympathy with those who, on an occasion of this kind, when there is an admitted grievance in relation to an Indian matter, consider that the mere statement of the grievance is enough without any attempt to probe deeply into the causes of the grievance, and still less to suggest a remedy. Such critics would say that the Government of India has so direct a responsibility in seeing that those who have this grievance are able to carry out their business in a satisfactory manner that the mere statement of the existence of a grievance is enough, without going any further. As I say,

I am not entirely without sympathy, although you have been good enough to go much more deeply into the matter. I think this is not at all an occasion, as indeed you have shown, for mere recrimination as to what may have happened, but for a consultation between the interests involved and the Government as to what may be the causes of any deficiencies which exist, and a further consultation as to how in the future such misfortunes may be prevented.

Now some of the speakers have very naturally gone back to Lord Inchcape's Committee of 1907, and as you have stated it was at that time suggested that a particular sum, some 12½ millions sterling, should be allotted each year for railway improvements. As has been pointed out by Mr. Forrest, in the course of that Enquiry a close examination was given to the possibility of the varied methods of borrowing money which might get over the obvious difficulty which exists in coming directly to the London money market in the ordinary way for the purpose of raising money by loan. Well those plans I think as matters now stand, in the difficult position in which we are placed, certainly merit fresh close examination, and that I am determined they shall receive. We will go carefully into these alternative plans to see if any of them, and if so which could be applied for the purpose of raising funds for Indian Railways.

But then there is a further fact, in addition to the fact that the whole sum recommended by Lord Inchcape's Committee has not been raised in any one year for reasons which you will, I am sure, entirely appreciate—reasons which I have indicated in speaking of the ordinary methods of raising money in London. As you gentlemen are well competent to realise the difficulty in raising a large sum of money at a given moment is not really founded upon the loss which the Government might incur on the particular issue—at any rate not nearly so much as in the general effect upon the whole credit of a country like India, which of course it is most important for us to maintain in as high a state of perfection as it can be maintained. If I may mention a somewhat parallel instance His Majesty's Government have been confronted with a very similar difficulty in the case of the issue of Irish land stock over a period now extending over some years. In that case, as you know, they have

faced a considerable amount of actual loss, and they have not felt they should face any more from a fear of the effect which might be produced upon national credit as a whole.

Then it is undoubtedly true that even of the sums allotted in different years it has not been found possible to spend all the sums which have been allotted. Within the last five years there has more than once been a difference of upwards of one million pounds in the sum allotted and the sum which it was found possible to spend, and that has particularly applied to the sums allotted for rolling stock. There have been a number of contributary causes for that—labour - troubles in this country and in other parts of the world, and various other causes which are alleged. Special care is being taken to arrange, so far as possible, for this year 1912-13, that the whole of the sum which is allotted which is between three million and four million pounds shall be spent, and that there shall not be any lapses of that character which have, I admit, disfigured some former years.

Now to pass for a moment to the actual crisis if that is not too big a word—the actual block in traffic which has taken place. Although, as I say, I have no desire to make a case, or to explain or at any rate to palliate anything which may be regarded as having taken place, yet I think it is only fair, as representing the Government of India, that I should state the various causes which have been alleged by those more directly responsible for the present condition of things. In the first place you will all have noted that since the beginning of this year, or at any rate since the middle of December last year, there has been quite an extraordinary and an astonishing growth in the export figures from India. It is quite easy to say—and I do not say that it is unreasonable to say it—that it is the business of the Government to foresee such possibilities and to provide for them. But I think it is fair to note on the other side that in other countries also marked and sudden increases of export trade at very short notice have brought about a somewhat similar condition of things. I think you will find if you read the Canadian Railway newspapers, that very much the same complaints that you have been making, in very much the same terms, have been made there, and the Canadian authorities have simply stated that no degree of human foresight could have

met on the Canadian Pacific and one or two other lines the amazing glut of produce which was thrown upon them in the course of last year. But as I say I merely state that as a fact and not for the purpose of comparison, and I do not give it as anything in the nature of an excuse. Then you have the curious fact, which was alluded to by one speaker, that the marked and in its way most admirable improvement in our system of famine relief, while lightening the burden in the affected districts has, by its very perfection, the effect of damaging the ordinary trade of the country. The manner in which fodder, for instance, was brought from the Central Provinces to the affected districts, was in itself worthy of the highest praise and admiration but its effect undoubtedly was to choke the lines for the time being and to interfere disastrously with the ordinary operations of trade.

Then I suppose it will be fair to state that the rise of freight on coal due to the Coal Strike here, had a distinct effect in throwing on to the railways a good deal of coal which in ordinary circumstances would have been brought by sea. I do not know to what extent that cause has existed, but I fancy it would be found to have offered a distinct contribution to the state of congestion which has taken place. And in consequence of that also there has been no doubt, apart from the coal, an unusual degree of congestion at several ports, certainly at Calcutta for one, which has, as I suppose, interfered with railway traffic in this way: that people who send consignments to the port rather encourage those consignments to remain in train loads on the sidings until such time as they can be shipped, because either there is no warehouse accommodation for them or a considerable degree of expence would be incurred by warehousing them perhaps for a short time until such time as they could be shipped. That is one of the points I quite admit, on which the question of railway management and direction comes in and ought to be carefully considered, because it is clear to me, having had a long Parliamentary experience and some experience of the way in which English railways are worked, that such a thing would be hardly possible at an English terminus. But as a matter of fact it has existed in India, and I have no doubt it has also contributed something to the situation and made more obvious such shortage of wagons as may really exist.

Then I think perhaps it is only fair to mention as a possible contributing cause, although I should not overstate it, that the traffic in connection with the Durbar for the time being did interfere with the ordinary operations of trade. A great number of stores for troops and other purposes were carried, and a great deal of material of all kinds, and I have no doubt that that also played its part, although it may not have been a very large one, in bringing about a state of congestion.

Then we come to the question with which you really started, which is no doubt one of supreme importance. To what extent, taking one year with another, or what is perhaps more important still, taking the immediate prospects of the future--to what extent is there a definite shortage of wagons, or how far can the existing difficulties be corrected by improvements to the line itself, either by way of doubling or by siding accommodation or by the creation of sorting sidings and by general improvement at the various terminal stations. In order that that somewhat doubtfu point may be cleared up, you ask whether it would not be possible to have some further enquiry and report. Well, I am not at all averse to an enquiry of that kind in itself, but there is, is there not, to be considered,—that if you are going to look for this purpose into the whole railway system of India, which is a vast country, and if, in order to secure such a report, you are going to get the best expert opinion you can, is there not some risk that a great deal of time might be consumed during which, *ex hypothesi* nothing will be done? Because it clearly would not be wise to add largely to your number of wagons if you experts were going at the end of their visit to report that there were plenty already and that all that was required was more siding accommodation; and on the other hand, you would not be tempted to go to great expense in siding accommodation or the creation of marshalling sidings or anything of that kind, if at the end of that enquiry, your experts were going to tell you that everything would be put right if you only had a few thousand more wagons. That really is my main doubt as to the advisability of having anything like a formal or very ambitious report, because when such a report is instituted you are always bound in courtesy to the enquiries to delay taking any action out of the ordinary until they give their opinion. But I will carefully consider that point and see what

can be done. I will take the best opinions I can as to whether it is advisable to have a formal report, or whether, with the materials that are at our command, the Railway experts who are able to give us their advice on the spot—we can form a sufficient opinion that will enable us to lay out our money to the best advantage.

Now I am bound to say it is clear to me that of the amount which is to be allotted for expenditure for the next year or two, the larger proportion, I do not hesitate to say the largest proportion—a much larger proportion, ought to be spent, and must be spent in the improvement of open lines rather than in doing work which we might like to do but which necessarily would take some time to develop and be of an experimental character in the laying out of entirely new lines. But I must guard myself at the same time against it being supposed that there are not places in which, for instance, new branches or feeders might not be so necessary and also so productive that it would be folly not to get them into operation as soon as possible. But having to cut our coat according to our cloth I repeat without hesitation that the improvement of existing systems after what has recently happened must be our main object, and that you can rely upon it, will be what will happen.

There are other various subsidiary points which were dealt with by Sir James Mackay—as he then was—and his Committee, for instance, the question of private wagons. It is stated there, and it is no doubt the case, that railway managers have a particular dislike to privately owned wagons and for that reason the notion that they should be instituted to any extent in India was dismissed by that Committee. I am not prepared to re-open that question on a large scale although I can conceive that there might be cases in connection with the mineral traffic, where goods are sent in train loads rather than in truck loads, where some institution of privately owned wagons might, in my judgment, have helped to the relief of congestion; but that as I say is merely a matter into which I shall enquire generally.

I shall also, I repeat once more, carefully consider the various points of a financial character which have been mentioned by the different speakers. Mr. Scaramanga raised several points with regord to the raising of money by bonds which I will see are considered. Mr. Forrest

also mentioned the striking offer which was made by a private firm for the provision of wagons, the payment to be made in railway bonds at moderate interest instead of by payment by cash; and that is also a point into which we shall enquire. I was interested also at the hopeful view which more than one speaker took of the possibility of our tapping Indian financial resources for the purpose of railway enterprise to an extent which has hardly indeed been attempted before, and so far as it has been attempted has not proved to be very successful. It is a point, I confess, on which I have always taken the deepest interest, namely, that those in India who have money should invest it in productive Indian concerns and thereby obtain a deeper and I also think a sounder interest in the welfare and prosperity of their country than it is possible for them to do at present. When I was in India the other day I visited with great interest the Iron and Steel Works of Messrs. Tata and it was interesting to learn that with the exception of quite a few thousand pounds—some £10,000 or so, which was subscribed in London—the whole of those works with a capital running, as you are aware, into hundreds of thousands of pounds, had been entirely raised in India. I should be very glad if Indian capitalists would take a similar line with regard to Indian railways, and I confess I see no reason why at some future time they should not turn their attention in that direction.

I think, gentlemen, I have dealt with most of the points which you raised. I have not been able—it may not be a surprise to you—to give you a very definite or sanguine reply as to the possibility of producing at short notice very large sums of money for the purposes either of railway extension or of railway improvement, but I can assure you that the matter is one which touches us deeply here and that it is certainly not a subject which will be in any sense allowed to slide; and that so far as the resources at our disposal admit, we shall do our best to avoid the recurrence of such a series of events on the railways as took place within the last few months. We all have to admit that the climatic and other conditions of India not only make a possible recurrence of such difficulties more likely than they would be in this country, but also make the foreseeing of them and the provision for them more difficult than it would be in many other parts of the world. We have to do our best and recognising as I do the extreme hardship that people conducting ordinary mercanti-e

transactions are interfered with by the want of ordinary transport facilities, so long as I can help in putting matters straight I shall spare no time or trouble in doing anything to assist. I think that is all I have to say.

Mr. C. C. McLeod: My Lord, may I on behalf of the Deputation thank you very much for what you have told us to-day. You are sending us away greatly encouraged after having come here to see you to-day. There is no doubt that one or two of the instances that you have mentioned in connection with the Durbar and the rise of the price of coal in Calcutta have contributed to a certain extent to aggravate the causes that have led to this serious congestion. I would only just like to emphasise, my Lord, the fact that opinions are so very much divided as to the reasons for the present congestion that we think and we have very ample evidence before us from India on the point—that if the causes were immediately looked into in such a way as we have now suggested, your Lordship might find that immediate relief to some extent in some parts of India would be obtainable. I venture again to urge that this be done; and that the question of sidings into Bombay and the quadrupling of the line between Asansol and Bandel would relieve the coal trouble if taken in hand as soon as possible. I thank you, my Lord, on behalf of myself and the Deputation for the kind way in which you have received us and for the encouragement you have given us.

(The Deputation then withdrew.)

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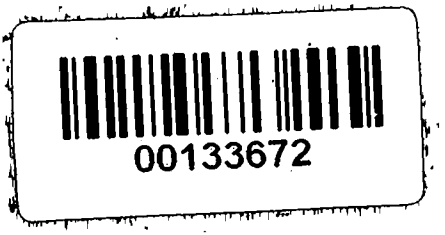
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